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History of England

FROM THE

FALL OF WOLSEY TO THE DEATH OF ELIZABETH.

REIGN OF ELIZABETH.

VOLUME III.

HISTORY OF ENGLAND

FROM

THE FALL OF WOLSEY

TO

THE DEATH OF ELIZABETH.

BY

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REIGN OF ELIZABETH.

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CHAPTER XIII.

Enormous crimes are not subjects on which it is desirable to stimulate curiosity, and had the assassination of Darnley been no more than a vulgar act of wickedness; had the mysteries connected with it and the results arising from it extended only to the persons, the motives, and the escape or punishment of the perpetrators or their accessories, it might have remained a problem for curious speculation, but it would neither have deserved nor demanded the tedious attention of the historian. Those events only are of permanent importance which have either affected the fortunes of nations or have illustrated in some signal manner the character of the epochs at which they have occurred. If the tragedy at Kirk-a-Field had possessed no claim for notice on the first of these grounds, deeds of violence were too common in the great families of Scotland in the sixteenth century to have justified a minute consideration of a single special act of villany.

But the death of the husband of the Queen of Scots belongs to that rare class of incidents which, like the murder of Cæsar, have touched the interests of the entire educated world. Perhaps there is no single recorded act, arising merely out of private or personal passions, of which the public consequences have been so considerable. The revolution through which Scotland and England were passing was visibly modified by it; it perplexed the counsels and complicated the policy

of the great Catholic Powers of the Continent; while the ultimate verdict of history on the character of the greatest English statesmen of the age must depend upon the opinion which the eventual consent of mankind shall accept on the share of the Queen of Scots herself in that transaction. If the Queen of Scots was the victim of a conspiracy, which at the present day and with an imperfect case before us can nevertheless be seen through and exposed, it is impossible to believe that men like Sir William Cecil, Sir Nicholas Bacon, or Lord Bedford were deceived by so poor a contrivance; and as the vindication of the conduct of the English Government proceeds on the assumption of her guilt, so the determination of her innocence will equally be the absolute condemnation of Elizabeth and Elizabeth's advisers.

Yet the difficulty of the investigation has been occasioned only by the causes which make it necessary. Had the question been no more than personal, it would long ago have been decided; but we have to do with a case on which men have formed their opinions, not on the merits of the evidence, but through the passions or traditions of the party to which they have belonged. The interests of the Catholics required at the time that a plea of innocence on behalf of the Queen of Scots should formally be preferred before the world. The same cause, reinforced by the later political sympathies of the adherents of the Stuarts, converted afterwards the formal plea into a real one. And thus things once considered certain, and against which no contemporary evidence can be adduced deserving to be called by the name, have been made doubtful by the mere effect of repeated denial. Conjectures have been converted into facts by hardy assertions; and now

when the older passions are cooling down, sentimentalism prolongs the discussion with the materials accumulated to its hand.

It is, therefore, of the highest importance to ascertain the immediate belief of the time at which the murder took place, while party opinions were still unshaped and party action undetermined. The reader is invited to follow the story as it unfolded itself from day to day. He will be shown each event as it occurred, with the impressions which it formed upon the minds of those who had best means of knowing the truth. He will see the judgment passed upon the conduct of the Queen of Scots, both by friend and foe, before the explanations and interpretations which form her general defence had as yet been put forward by her advocates; and thus when he comes to the circumstances under which these explanations were laid before the world, he will be in a position to judge for himself the degree of credibility which attaches to them.

Taking up the narrative therefore where it was left in the 10th chapter of this history, the reader will consider himself at Holyrood on the morning of the 10th of February. By the time that day had broken, the King's death, and the apparent manner of it, was known throughout the town. The people were rushing about the streets. The servants of the Court were talking eagerly in knots about the quadrangle of the palace. It was ascertained at the lodge that the Earl of Bothwell or some of his people had passed out after the Queen had returned the preceding night, and had entered again after the explosion. An instinct, explained by the character of the man, pointed at once to the earl as the assassin; and as Paris the French page crossed the court to his master's room, "all men

looked askance at him," and read guilt in his white cheeks and shuffling movements.[1]

The Ormistons, Dalgleish, Powry, Hepburn, and the other conspirators were already collected as he entered. Bothwell asked him savagely why he stood shaking there, with such a hangdog look upon him. He said miserably that he was afraid of being found out and punished. "You?" said the Earl, glaring at him, "you? Yes, you are a likely person to be suspected. Look at these gentlemen. They have lands and goods, wives and children, and they have risked them all in my service. The sin, if sin it be, is mine, not yours. I tell you the Lords of Scotland have done this deed. A wretch like you is safe in your insignificance." Collecting his spirits as he could, Paris went to the apart-

[1] Nicholas Hubert, *alias* French Paris, was Bothwell's page. He left Scotland soon after the murder, being too much terrified to remain there, and for eighteen months was supposed to have been drowned. But he had probably spread the report himself, that there might be no further enquiry after him. It was discovered afterwards that he had rejoined his master in Denmark, and in the early summer of 1569 the Regent Murray or the Regent Murray's friends got possession of his person "by policy." In some way or other he was kidnapped and brought over to Leith. His capture was carefully kept secret. He was taken privately to St. Andrew's, where the Regent happened to be, and examined by George Buchanan, Robert Ramsay, Murray's steward, and John Wood, his confidential secretary. Paris made two depositions, the first not touching Mary Stuart, the second fatally implicating her. This last was read over in his presence. He signed it, and was then executed, that there might be no retractation or contradiction. The haste and the concealment were intended merely to baffle Elizabeth, who it was feared would attempt to get hold of him and suppress his evidence. She did in fact hear that he was in the Regent's hands, and she instantly wrote to desire that his life might be spared, but it was too late to be of use to the poor wretch. The anticipation of her interference had hastened his death; he was hanged before her letter arrived, and his deposition countersigned by the examiners, which is now in the Record Office, was forwarded in reply. — Depositions and declarations of Nicholas Hubert, August, 1569: *MSS. Scotland, Rolls House.* Depositions of French Paris, printed in Pitcairn's *Criminal Trials*, and in Goodall, Vol. II. p. 76. For the account of Paris's capture and Elizabeth's letter, see also *MSS. Scotland, Rolls House.*

ments of the Queen, where Bothwell followed him directly after. Mary Stuart had slept soundly, but was by this time stirring. The windows were still closed. The room was already hung with black and lighted with candles. She herself was breakfasting in bed, eating composedly, as Paris observed, a new-laid egg.[1] She did not notice or speak to him, for Bothwell came close behind and talked in a low voice with her behind the curtain.

Whatever may or may not have been her other bad qualities, timidity was not one of them; and if she was innocent of a share in the murder, her self-possession was equally remarkable. Her husband, the titular King of Scotland, had been assassinated the night before in the middle of Edinburgh not two hours after she had herself left his side. The perpetrators were necessarily men about the Court, and close to her own person. She professed to believe that she was herself the second object of the conspiracy, yet she betrayed neither surprise nor alarm. The practical energy at other times so remarkable was conspicuously absent. She did not attempt to fly. She sent for none of the absent noblemen to protect her; the vigour, the resolution, the fiery earnestness which she had shown on the murder of Ritzio — of these there was no outward symptom. Leaving the conspirators to meet in Council and affect to deliberate, she spent her morning in writing a letter to the Archbishop of Glasgow, her ambassador in Paris, informing him of the catastrophe: declaring her resolution, which it might have been

[1] Le Lundy matin entre neuf et dix heures, le dict Paris dict qu'il entre dans la chambre de la Reyne, laquelle estoit bien close, et son lict la tendu du noire en signe de deuil, et de la chandelle allumée dedans icelle, la ou Madame de Bryant luy donnoit à dejeuner d'ung œuf frais. — Second deposition of Paris: Pitcairn, Vol. I. part 2, p. 509.

thought unnecessary to insist upon, of punishing the murderers as soon as they should be discovered. But she took no active steps to discover them. Lennox, Darnley's father, was at Glasgow or near it, but she did not send for him. Murray was within reach, but she did not seem to desire his presence; although she told the Archbishop that only accident had interfered with her intention of spending the previous night at Kirk-a-Field, — that "whoever had taken the enterprise in hand, it had been aimed as well at herself as at the King, since the providence of God only had prevented her from sleeping in the house which was destroyed." [1]

Later in the day a despatch came in from the Archbishop himself, containing a message to her from Catherine de Medici that her husband's life was in danger, and another letter to the same effect from the Spanish Ambassador in London; but, alas! as she said in her reply, "the intimation had come too late." The plot, it seems, was known in Paris, and known to De Silva; yet she, if she was to be believed, was innocent of all suspicion of it.

In the afternoon there was a faint show of investigation. Argyle and Bothwell went to inspect the ruins. The body was brought down to Holyrood, and the servants who had survived the explosion and the inhabitants of the adjoining houses were sent for and questioned. They could tell but little, for who, it was

[1] The letter of the Queen of Scots to the Archbishop is printed both by Keith and Labanoff. It is dated February 11. But there is an evident mistake, or the Queen added the date the day after the letter was written, for she describes the murder as having been committed on the night past, being February 9; and in a second letter, written a week after, she says, "we received your letter upon the 10th of this instant, and that same day wrait to you." — Mary Stuart to the Archbishop of Glasgow, February 18. Labanoff, Vol. II.

said, "dared accuse Bothwell, who was doer, judge, enquirer, and examiner?" [1] Even so, however, and in the midst of their alarm, awkward hints and facts were blurted out which it was desirable to keep back, and the witnesses were not pressed any further.

The next morning (Tuesday) a proclamation appeared, signed by Bothwell, Maitland, and Argyle, offering a reward of 2000*l.* for the discovery of the murderer, with a free pardon to any accomplice who would confess. In the evening after dusk, an anonymous placard was fixed against the door of the Tolbooth, accusing Bothwell and Sir James Balfour as the immediate perpetrators, and containing, in addition, the ominous words, "that the Queen was an assenting party, through the persuasion of the Earl Bothwell and the witchcraft of the Lady Buccleuch." [2] Feb. 12.

Surrounded by his own retainers, with every member of the Council at Edinburgh, if not as guilty as himself yet implicated too deeply to act against him, Bothwell met the challenge with open defiance. In a second proclamation he invited his accuser to come forward, prove his charge, and claim his reward. An answer instantly appeared, again unsigned, but declaring that if the 2000*l.* was produced and was deposited in some indifferent hand, and if two of the Queen's servants, Bastian and Joseph Ritzio, Feb. 13.

1 Buchanan.

2 Margaret Douglas, wife of Sir Walter Scott of Buccleuch, was the daughter of the Earl of Angus, and cousin of Morton. Like her sister Lady Reres, she had been one of the many mistresses of Bothwell, and it was by her that the Earl had been especially recommended to the notice of Mary Stuart. She does not appear to have been a very modest lady. Sir William Drury, writing to Cecil, said, "I dare not deliver unto your honour the Lady Buccleuch's speech, yea, openly, of her telling the cause that she bred his greatness with the Queen by, nor of her speech of the Queen, nor of his insatiateness towards women." — Drury to Cecil, May, 1567: *Border MSS. Rolls House.*

David's brother, were arrested, the writer, and "four others with him," would declare themselves and make good their words. Perhaps the names mentioned suggested too close a knowledge of dangerous facts. The men were not arrested, and the Council said no more; but as the silence and inaction continued, the tongues of all men were loosed, and the thoughts which were in the minds of every one burst into the air. Midnight cries were heard in the wynds and alleys of Edinburgh, crying for vengeance upon the Queen and Bothwell. Each day as it broke showed the walls pasted with "bills," in which their names were linked together in an infamous union of crime — and, bold as they were, they were startled at the passionate instinct with which their double guilt had been divined. Fifty desperate men guarded the Earl whenever he appeared in the street. If he spoke to any one "not assured his friend, his hand was on his dagger hilt;" and he swore savagely, "that if he knew who were the setters up of the bills and writings, he would wash his hands in their blood." [1]

The atmosphere of Edinburgh grew unpleasant. The Court thought of removing into easier and safer quarters at Stirling, and an intimation was conveyed to Lord Mar, who was in charge of the castle, that the Queen wished to be his guest. Mar, however, declined to admit within the gates a larger force than he could keep in order, and Bothwell dared not leave his followers behind him. The hereditary guardian of the Prince was too important a person to quarrel with, and it was necessary to put up with the refusal.[2]

Feb. 16.

1 Drury to Cecil, February 28: *Border MSS.*

2 "The Earl of Mar is not the best liked of, for he might have had guests

Secured as he was of the support or silence of the principal noblemen, Bothwell had evidently not been prepared for such an outburst of emotion about a mere murder. A thrust with a dirk or a stroke with a sword was the time-hallowed and custom-acknowledged method of ridding the world of an enemy. The pitiful desertion of his companions after Ritzio's murder had left Darnley almost without a single friend; and but for a new spirit which was pouring with the Reformation into Scottish life, the mere destruction of a troublesome boy would have been but the wonder of a day, forgotten in the next tragedy. This change of times, however, was not understood till it was felt, and it was supposed that a short absence of the Court would give time for passion to cool. Forty days of close seclusion was the usual period prescribed for Royal mourning; but the Queen found the confinement injurious to her health, and, as Stirling was impracticable, she turned her thoughts elsewhere.[1] Darnley was privately buried at Holyrood on the night of the 15th; his horses and clothes were given to Bothwell;[2] and on the morning of the 16th, Mary Stuart, attended by Bothwell, Huntly, Argyle, Maitland, Lords Fleming, Livingston, and a hundred other gen-

But he will have no more than such as he may rule. He hath been dealt with, but he will not yield." — Sir William Drury to Cecil, February 19: *Border MSS.*

1 Leslie, Bishop of Ross, the first champion "of Queen Mary's honour," gives a singular reason for her neglect of the usual observance on this occasion. As to the forty days of mourning, he said, which ought to have been kept, "Kings might be mourned for in that way; but Darnley was only a king by courtesy; he was a subject, and took his honour from his wife, and therefore her Grace mourned after another sort." — *Defence of Queen Mary's Honour*, printed by Anderson.

2 The clothes were sent to a tailor to be altered for their new owner. The tailor said it was the custom of the country, the clothes of the dead were always the right of the hangman. — Calderwood.

tlemen, rode away to the house of Lord Seton, near Preston Pans. The Archbishop of St. Andrew's, the Primate of Scotland, gave the party the sanction of his right reverend presence. As a Hamilton he could not but look with favour on the destruction of the heir of the rival house of Lennox. The Queen was committing herself to a course, of which the end, to his experienced eyes, was tolerably clear; and Mary Stuart once out of the way, Chatelherault, by prescriptive right, would again become Regent, and the baby-Prince alone remain between the House of Hamilton and the Scottish crown.[1]

Lord Seton entertained the royal party in person. The Queen, relieved from the suggestions and reminiscences of Edinburgh, recovered rapidly from the indisposition which was the excuse of her departure. The days were spent in hunting and shooting, varied only with the necessary attention to immediate and pressing business. Elizabeth was to be written to. She could not be left without formal information of her cousin's death; and Sir Robert Melville, whom Elizabeth knew and liked, was chosen as the bearer of the communication. The Queen of England had objected so strongly to the original marriage with Darnley, and had been so indignant and alarmed at the consummation of it, that it was doubtless expected that she would accept placidly the news that he was put out of the way. To sweeten the information still further, and remove all possible unpleasantness, Mary Stuart em-

[1] The false dealing of the Hamiltons, which in the sequel will appear more clearly, was seen through at the time. Sir William Drury wrote, "It is judged the Bishop of St. Andrew's encourages the Queen and Bothwell in this manner to proceed not from any goodwill to either of them, but for both their destructions the rather to bring his friends to their purpose." — Drury to Cecil, May 6: *Border MSS.*

powered Melville to say that she was now prepared to yield on the great point which she had so long contested, to ratify the disputed clause in the treaty of Leith, and abandon her pretensions to Elizabeth's crown.[1]

In France also there were special matters to be arranged with convenient speed. More than once already Mary Stuart had experienced the inconvenience of the unprotected condition in which she lived at Holyrood. The sovereign, though feudal head of the military force of the kingdom, yet commanded the services of the lieges only through the noblemen to whom they owed their first obedience; and while the Earl of Argyle had but to raise his finger and 5000 breechless followers would be ready at the moment to follow him through life and death, the sovereign, if the nobles held aloof, commanded but the scanty services of the scattered vassals of the crown lands. The present prospects of the Court were at least precarious. She felt that neither she herself nor Bothwell would be the worse for the presence of a foreign guard undistracted by the passions of Scottish factions. She had, therefore, already begun the arrangements for the enrolment of a company of French harquebus men. Her French dowry would pay for them. They could be called the Prince's Guard, and Bothwell could command them. The times were growing more urgent, and she wrote a second letter Feb. 16–24.

1 "Quant aux trois choses qui m'ont estée communiquez par Melville, j'entends par toutes ces instructions qui continuez en grande envie de me satisfaire, et qu'il vous contentera d'octroyer la requeste que my lord Bedford vous faict en mon nom pour la ratification de vostre traicté qui 6 ou 7 ans passées en estoit faict, vous promettant que je la demandois aultant pour vostre bien que pour quelque proffit qui m'en resouldra." — Elizabeth to the Queen of Scots, February 24, 1567: *MSS. Scotland, Rolls House.*

from Seton House to the Archbishop of Glasgow, desiring him to ask at once for the unpaid arrears which were owing to her; to accept no refusal; if he could not get the whole, to take as much as the Court would give; and she would then send over some one to enlist men for her service.[1]

As to the murder, it was evidently hoped that nothing more need be said or done about it. The alteration which had passed over the Scottish people with the Reformation, the responsibility to European opinion, the sense of which was spreading everywhere with the growth of intellectual light, was unfelt and unconjectured by the party assembled at Seton; and as long as Huntly, Bothwell, and Argyle held together and held with the Queen, they commanded a force which for the present there was no one able to encounter.

But the Earl of Lennox, though unable to act, was not disposed to sit down thus passively. The Queen of Scots had written civilly to him, and had professed a wish to be guided by his advice; but he knew Mary's character too well to trust implicitly her general and smooth professions. He must have known the fears which Darnley had himself expressed before his removal to Kirk-a-Field. He had seen him during his illness, and could hardly have

March.

[1] "And for the company of men-at-arms we pray you use even the like diligence to have the matter brought to pass in favour of the Prince our son, as we mentioned in our other letters sent you for that purpose; and although the whole company's payment cannot be granted, leave not off but take that which shall be offered. The captain must be our son; for the lieutenant there is none in that country (France) whom we can be content to place in that room. Upon your advertisement we shall send thither either the lieutenant or some qualified personage for him to take up his company, being aforehand assured by you that he shall speed and not find his travel frustrate; *for otherwise we would be loathe that our proceeding should be known.*" — Mary Stuart to the Archbishop of Glasgow, February 18: Labanoff, Vol. II.

been deceived about the character of it. He must have heard from Crawford the particulars of Mary Stuart's visit to Glasgow; and if the people generally, on mere outward grounds of suspicion, were already fastening upon the Queen as an accomplice in the murder, no doubt at all could have rested in the mind of Lennox. Not daring to repair to Edinburgh, he remained watching the direction of events at his house at Houston in Renfrewshire, and from thence he replied to the Queen's letter with a demand that she should instantly assemble the entire nobility of the realm to investigate the extraordinary catastrophe.

The propriety of such a course was so obvious, that if the Queen had really desired that the truth should be discovered, she would have adopted it of her own accord. No enquiry was possible while the Court and administration were under the control of a single faction. Mary Stuart, however, calmly answered that she had already "caused proclaim a Parliament," which would meet in the spring. Nothing would then be left undone to further the trial of the matter, and it was unnecessary to anticipate their assembly. Lennox rejoined that a murder was no "Parliament matter." Time was passing away, and the assassin might fly the realm in the interval. Particular persons had been publicly accused, and at least Her Majesty might order the arrest of those persons; call the Lords together, and invite the denouncers to present their evidence. "So," he said, "shall your Majesty do an honourable and godly act in bringing the matter to sic a narrow point, as either it shall appear plainly, or else the tickets shall be found vain of themselves, and the parties slandered be exonerated and put to liberty." [1]

[1] Correspondence between the Earl of Lennox and the Queen of Scots, February and March, 1567, printed by Keith and by Labanoff.

A call of the peers would have brought up Murray, Athol, Mar, and possibly others who, if not Darnley's friends, yet would feel the enormity of the murder, and had no interest in the concealment of the criminals. Under their protection the yet warm scent of the assassins could be traced, some or other of them be caught, and the truth made known.

It is impossible to believe that Mary Stuart desired any such result. Quite evidently she desired to "tract time," that the excitement might die away. She answered that she could not assemble the Lords before the Parliament, "as they would think double convening heavy to them;" as to apprehending the persons named in the tickets on the Tolbooth door, there were so many that she did not know on which ticket to proceed; but, treating Lennox as if it concerned him only and not herself or public justice at all, she said that if among those accused there was any one whom he desired to have brought to trial, "upon his advertisement she would proceed to the cognition taking."[1]

But Mary Stuart was not to escape so easily. Although Darnley's rank and the wild manner of his death had startled people into more than usual attention, had no interests circled about the Queen beyond those which touched herself and her own subjects, the murder might have passed but as one bad deed of a lawless age. But Mary Stuart and her proceedings were of exceptional importance, far beyond the limits of her own kingdom. Whether the Huguenots should maintain themselves in France — whether the Netherlands were to preserve their liberties in the wrestling match which was about to open with Spain — whether, in fact,

[1] Correspondence between the Earl of Lennox and the Queen of Scots February and March, 1567, printed by Keith and Labanoff.

the Pope and the Catholics were to succeed or fail in the great effort now to be made to trample out the Reformation — these vast matters depended on whether England should be Catholic or Protestant; and whether England, for that generation or that century, should be Catholic or Protestant depended on whether Mary Stuart was or was not to be looked to as the heir presumptive to Elizabeth's crown.

It has been seen that the marriage with Darnley had been considered and brought about among the English Catholics with a single view to this end. The proposal when first thought of had been submitted to Philip the Second, and had received his sanction as a step of supreme importance towards the reunion of England with Rome; while the fear and jealousy with which the marriage had been regarded by Elizabeth and Cecil showed how large advantage the Catholic cause had gained by it. Darnley stood next to Mary Stuart in the line of succession. He was an English subject, and the national jealousy of aliens did not extend to him. His own peculiar party in England, fostered as it had been by his mother's intrigues, had been as large at one time as that of the Scottish Queen herself; and to the Great Powers, who were considering how best to recover England from heresy, the union of the two pretensions had been a triumph of political adroitness, and a matter of special gratitude to Providence. Thus when it was first whispered that the Queen of Scots and her husband were on bad terms, their differences became a prominent subject in the correspondence of the Spanish Court. Thus when darker rumours stole abroad, that Darnley's life was in danger, the Cardinal of Lorraine wrote to put the Queen on her guard; and the Spanish ministers both in London and Paris took

upon themselves to warn her "well to govern herself, and take heed whom she did trust."[1] Thus when it became known that he was actually dead, the Queen of Scots, in the first heat of disappointment, was regarded as having trifled away the interests of a great cause, for no object but her own private indulgence. She had been admitted as a partner in a game, in which the stake was the future of the world, and she had wrecked the prospects of her party in a petty episode of intrigue and folly.

The opinion of Paris was as decided, and as decidedly expressed, as the opinion of Edinburgh. The Archbishop of Glasgow, when her letter reached him, did his best to persuade people to accept her version of the story. But Mary Stuart was too well known at the French Court, and so far from being able to convince others of her innocence, the Archbishop evidently was unable to convince himself.

"He would," he said in answer to her, "he would he could make her understand what was said of the miserable state of Scotland, the dishonour of the nobility, the mistrust and treason of her subjects." — "Yea, she herself was greatly and wrongously calumnit to be motive principal of the whole, and all done by her order." He gathered from her Majesty's letter that it "had pleased God to preserve her to take vigorous vengeance." "He could but say that rather than that vengeance were not taken, it were better in this world had she lost life and all." "Now was the time for her to show that she deserved that reputation for religion which she had gained for herself, by showing the fruits of it, and doing such justice as to the whole world might declare her innocency." "There is sa mickle

[1] Drury to Cecil, February 14: *Border MSS.*

ill spoken," he concluded, "that I am constrained to ask you mercy that I cannot make the rehearsal thereof. Alas, Madam, all over Europe this day there is no purpose in hand so frequent as of your Majesty and of the present state of your realm, whilk is for the most part interpreted sinisterly." [1]

Mary Stuart would have rather heard from the Archbishop that he had obtained the money for her body-guard, and his letter must have increased her anxiety for their arrival. If she was innocent all this time, the ground must have been prepared beforehand with marvellous skill. Before any evidence, genuine or forged, had been produced against her, on the first news of the catastrophe, the general instinct had settled upon her as the principal offender. If there be a difficulty in believing that so young a Princess would have lent herself to such a crime, it is singular that her friends in Paris, who were most interested in her well-doing, should have jumped so readily to so hard a conclusion.

It has been already mentioned [2] that, among the first to bring the news to London was Moret, minister of the Duke of Savoy at Mary Stuart's Court, in whose train David Ritzio had originally come to Scotland. The opinion of Moret — a Catholic, a warm friend of the Queen and fresh from the scene — is of considerable moment. The second day after the murder he hurried away from Edinburgh, "better pleased with his return," as he explained to Sir William Drury on his passage through Berwick, than when he went that way to the scene of his embassy. On reaching London he hastened to the Spanish Ambassador. He was cau-

[1] The Archbishop of Glasgow to Mary Stuart, March 6, printed by Keith

[2] *Supra*, cap. 10.

tious in what he said; but when De Silva cross-questioned him about the Queen, although he did not expressly condemn her, he said not a word in her exculpation, and left the ambassador certainly to infer that he suspected her to have been guilty.[1] He mentioned, among other circumstances, one which had left a painful impression upon him. Darnley, it seems, had intended to present a pair of horses to the Duke of Savoy, and a day or two before his death had told the Queen that he wished to see Moret. She had said in answer that Moret was so angry about Ritzio's murder that he would not go near him: she had not the slightest ground for such a statement, and had only wished to prevent the interview.[2]

On the 19th, Sir Robert Melville arrived with Mary Stuart's letter. From him De Silva learnt further particulars, but again nothing to reassure him. Melville indeed said that the Queen was innocent; but he grew confused when he was pressed closely,[3] and his defence was made more difficult when it became known that, instead of remaining in retirement at Holyrood, the Queen was amusing herself with her cavaliers at Seton.

Among the loudest to exclaim against her was Lady Margaret Lennox, Darnley's mother, the maker of the match which had ended so disastrously. This lady had been hitherto expiating her offences in that matter in a room in the Tower. She was released immediately after the murder, and was besieging the Court with her clamours. Melville complained of her language

[1] "Por las quales parece que induce sospecha de haber sabido o permitido la Reyna este tratado; y aun apuntandole que me dixese lo que le parecia conforme a lo que el habia visto y colegido, si la Reyna tenia culpa dello, aunque no la condeñó de palabra no la salbó nada." — De Silva to Philip, March 1, 1567: *MS. Simancas.*

[2] *MS.* Ibid.

[3] "Vecle algo confuso." — De Silva to Philip, February 22: *MS.* Ibid.

to De Silva, but De Silva could not refuse to sympathise with her.

"I told Melville," he wrote, "that I was not surprised. The wisest men would at times forget themselves in excess of sorrow, much more a woman in a case so piteous. For it is not she alone who suspects the Queen to be guilty of the murder; there is a general opinion that it has been done in revenge for the Italian secretary.[1] The heretics declare her guilt to be certain, their dislike of her assisting their suspicions. The Catholics are divided. The King's party are violent and angry. Her own friends defend her. It is scarcely conceivable that a Princess who had given so many proofs of piety and virtue should have consented to such a business; but should it so turn out to have been, she will lose many friends, and the restoration of the Catholic faith in this realm through her instrumentality will have become more difficult. I have done all that was possible both with the Queen of England and others, as in your Majesty's service I am bound to do; and inasmuch as the interests at stake are so considerable, I have entreated her Highness to take no positive step without consulting those who are good friends to your Majesty. However it be, the consequences cannot fail to be serious. This Queen, perhaps, may use the opportunity to interfere in Scotland, not for any love which she felt for the late king, but for her own purposes, the circumstances appearing to furnish her with a reasonable excuse."[2]

The belief in Mary Stuart's innocence, it thus appears, was limited to a single fraction of the English

[1] De Silva to Philip, February 22: *MS. Simancas.*

[2] Same to same, February 17, February 22, February 26: *MS.* Ibid. The words in the text are extracted from three different despatches.

Catholics — in other words, to those whose interests inclined them to a favourable judgment of her. But there was one person who, if the popular theory of the relation between the two sovereigns is correct, should have rushed at once, under all the influence of public and personal jealousy, to the most unfavourable conclusion, and yet who suspended her judgment and remained incredulous. Elizabeth herself received the news of the murder with profound emotion. She was in mourning when she admitted Moret to an audience. Melville and his message were both eminently unsatisfactory, and she was convinced that there was some concealed mystery which the Queen of Scots could have explained more fully if she had chosen. Measures of precaution were taken at the palace for the better security of Elizabeth's own sleeping rooms, and the guard was sifted and scrutinised. She told De Silva that, much as she had disapproved of the marriage, the murdered Prince was her cousin, and she must insist upon an enquiry into the circumstances; yet, however the world might murmur, she could not believe that the Queen of Scots was herself accessory to his death. She dwelt upon every point in the story which seemed to make for her. The report that she was gone with Bothwell to Seton she rejected as utterly incredible till it was proved beyond possibility of doubt.

De Silva, notwithstanding his private opinion, encouraged her scepticism. More than one English nobleman who had hitherto favoured the Scottish succession, had declared himself as intending for the future to advocate the rival claims of Lady Catherine Grey, who, though dying slowly of harsh treatment, had yet some months of life before her, and had borne children

of ambiguous legitimacy to inherit what right she possessed. Elizabeth regarded this unfortunate woman with a detestation and contempt beyond what she had felt at the worst times for Mary Stuart. De Silva knew her temper, and worked upon her jealousy by suggesting a likelihood of some movement in Lady Catherine's favour.[1]

She said she would at once send some one down to Scotland to enquire into the truth, and enable her to silence the scandalous reports which were flying. The Queen of Scots might have been deeply in fault; she had been on bad terms with her husband; she had, perhaps, felt little regret for his death, and had been culpably unwilling to discover or punish the criminals; but Elizabeth was jealous of the honour of a sovereign princess, and this was the worst which she would allow.

Both she and Cecil thought the opportunity a favourable one for terminating the disorders of Scotland, and saving Mary Stuart herself from the perils in which her carelessness and folly were involving her. If the treaty of Leith was now ratified, it had been all along understood that the recognition of Mary Stuart as Elizabeth's heir would speedily follow. The two countries would then at no distant time be united, and the occasion might be used, when Mary Stuart's critical position would secure her compliance, to urge her to accept for herself the modified Protestantism of England, and to revive the old project of a preliminary union of the Churches.

However unseasonable the intrusion of such a subject at such a crisis may at first sight appear, it proves at any rate that Elizabeth did not as yet contemplate

[1] De Silva to Philip, February 22: *MS. Simancas.*

the probability of a quarrel with her cousin as one of the consequences of the murder, or she would not have chosen the time to propose a measure which would necessarily draw them closer together. The more it is considered, the more evidently it will be seen to have been a token of essential good-will, and therefore in the main of confidence. Sir Henry Killigrew was chosen as the instrument of this well-intended but entirely useless diplomacy. He was directed to sound the ministers of the Kirk on the possibility of their being induced to consent; while Cecil by letter invited Maitland to work upon the Queen of Scots.[1]

This was part of Killigrew's mission. The other was to ascertain, as far as possible, the truth about the murder, and to impress on Mary Stuart herself a keener sense than she seemed to feel of her faults, of her duties, and of her danger. It was the same advice which had been urged upon her by the Archbishop of Glasgow, and Elizabeth, to give it emphasis, wrote to her with her own hand:

"Madam," she said, "my ears have been so astounded, my mind so disturbed, my heart so shocked at the news of the abominable murder of your late husband, that even yet I can scarcely rally my spirits to write to you; and however I would express my sympathy in your sorrow for his loss, so, to tell you

[1] Cecil's letter on the subject has not been found, but Maitland's answer to it survives. Maitland was glad of anything which would divert the minds of Elizabeth and Cecil from dangerous ground. "For the mark," he wrote, "to which you do wish in your letter I should shoot at, to wit that Her Majesty would allow your estate in religion, it is one of the things on earth I most desire. I dare be bold enough to utter my fancy in it to Her Majesty, trusting that she will not like me the worse for uttering my opinion and knowledge in that which is profitable for her every way: and I do not despair but although she will not yield at the first, yet with progress of time that point shall be obtained." - Maitland to Cecil, March 13: *MSS. Scotland, Rolls House.*

plainly what I think, my grief is more for you than for him. Oh, Madam, I should ill fulfil the part either of a faithful cousin or of an affectionate friend, if I were to content myself with saying pleasant things to you and made no effort to preserve your honour. I cannot but tell you what all the world is thinking. Men say that, instead of seizing the murderers, you are looking through your fingers while they escape; that you will not punish those who have done you so great a service, as though the thing would never have taken place had not the doers of it been assured of impunity.

"For myself, I beseech you to believe that I would not harbour such a thought for all the wealth of the world, nor would I entertain in my heart so ill a guest, or think so badly of any Prince that breathes. Far less could I so think of you, to whom I desire all imaginable good, and all blessings which you yourself could wish for. But for this very reason I exhort, I advise, I implore you deeply to consider of the matter — at once, if it be the nearest friend you have, to lay your hands upon the man who has been guilty of the crime — to let no interest, no persuasion, keep you from proving to every one that you are a noble Princess and a loyal wife. I do not write thus earnestly because I doubt you, but for the love which I bear towards you. You may have wiser councillors than I am — I can well believe it — but even our Lord, as I remember, had a Judas among the twelve: while I am sure that you have no friend more true than I, and my affection may stand you in as good stead as the subtle wits of others." [1]

[1] Elizabeth to the Queen of Scots, February 24 (the original is in French): *MSS. Scotland, Rolls House.*

Supposing the Queen of Scots to have been really free from the deepest shade of guilt, her warmest friend could not have written more kindly or advised her more judiciously. To have followed the counsel so given, had the power been left her, would have been to defeat the hopes of all who desired her ruin, and to recover to herself that respect and honour which, whether guilty or innocent, she was equally forfeiting.

Mary Stuart, however, for the present was incapable of receiving advice, nor did Elizabeth's words reach the exigencies of her position. The accounts which reached her from so many sides might indeed have revealed to her the storm which was gathering, and so have awakened her fears; but of fear she was constitutionally incapable. The arrival of Elizabeth's messenger touched her only so far that it recalled her to the necessity of observing the forms of decency, and when she heard that some one was coming, she hastened back to Holyrood just in time to receive him. Killigrew reached Edingburgh on the 8th of March, one day behind her. He was entertained at dinner by the clique who had attended her to Seton, and in the afternoon was admitted to a brief audience. The windows were half closed, the rooms were darkened, and in the profound gloom the English Ambassador was unable to see the Queen's face, but by her words she seemed "very doleful." She expressed herself warmly grateful for Elizabeth's kindness, but said little of the murder, and turned the conversation chiefly on politics. She spoke of Ireland, and undertook to prevent her subjects from giving trouble there; she repeated her willingness to ratify the treaty of Leith, and professed herself generally anxious to meet Elizabeth's wishes. With these general expressions she

perhaps hoped that Killigrew would have been contented, but on one point his orders were positive. He represented to her the unanimity with which Bothwell had been fastened upon as one of the murderers of the King; and before he took his leave he succeeded in extorting a promise from her that the Earl should be put upon his trial.[1] His stay in Scotland was to be brief, and the little which he trusted himself to write was extremely guarded. The people he rapidly found were in no humour to entertain questions of Church policy. The mind of every one was riveted on the one all-absorbing subject. As to the perpetrators, he said there were "great suspicions, but no proof," and so far "no one had been apprehended." "He saw no present appearance of trouble, but a general misliking among the commons and some others which abhorred the detestable murder of their King, as a shame to the whole nation — the preachers praying openly that God would please both to reveal and revenge — exhorting all men to prayer and repentance."[2]

One other person of note he saw, and that was the Earl of Murray — Murray, whose conduct in these matters has been painted in as black colours as his sister's was painted by Buchanan. Murray since the murder had remained quiet — doing nothing because he saw nothing which he could usefully do. He had made one effort to arrest Sir James Balfour, but he had been instantly crossed by Bothwell,[3] and he could stir no further, without calling on the commons to take

[1] "The size for the Earl's trial is the rather done by the Queen for the observing of her promise to Mr. Killigrew, for she said and assured him that the Earl should be put upon his trial." — Drury to Cecil, March 29. *Border MSS. Rolls House.*

[2] Sir H. Killigrew to Cecil, March 8: *MSS. Scotland Rolls House.*

[3] Sir John Foster to Cecil, March 3: *Border MSS.*

arms — a desperate measure for which the times were not yet ripe. He was therefore proposing to withdraw as quietly as possible into France. He wrote by Killigrew's hands to Cecil for a safe-conduct to pass through England, and careful only not to swell the accusations which were rising against the Queen, he entreated that neither Cecil nor any one "should judge rashly in so horrible a crime." [1]

With this, and the letter from Maitland about the union of the Churches, Killigrew in less than a week returned to London. No sooner was his back turned than the Queen went again to Seton; and now for the first time it began to be understood that, although Bothwell was to be tried for the King's murder, he was intended for the King's successor, and that at no distant time the Queen meant to marry him. He had a wife already indeed, as the reader knows — a Gordon, Lord Huntly's sister, whom he had but lately wedded; but there were means of healing the wound in the Gordons' honour, by the restoration of their forfeited estates; and Huntly it seems, though with some misgivings, was a consenting party in the shameful compact.

We are stepping into a region where the very atmosphere is saturated with falsehood; where those who outwardly were bosom friends were plotting each other's destruction, and those who were apparently as guilty as Bothwell himself were yet assuming an attitude to him, at one moment of cringing subserviency, at the next of the fiercest indignation; where conspiracy was spun within conspiracy, and the whole truth lies buried beyond the reach of complete discovery. Something, however, if not all, may be done towards unravelling the mystery.

[1] Murray to Cecil, March 13: *MSS. Scotland.*

There is much reason to think that the intention of assassinating the unlucky Henry Darnley was known far beyond the circle of those who were immediately concerned in the execution of the deed. It had been foreseen from the first by those who understood his character, and who knew how inconvenient people were disposed of in Scotland, that his life "would be of no long continuance there." His loose habits had early estranged him from the Queen. The Douglases, and his other kinsmen who had joined him in the murder of Ritzio, he had converted into mortal enemies by his desertion of them afterwards. He was at once meddlesome and incapable, weak and cowardly, yet insolent and unmanageable. He had aimed idly at the life of the Earl of Murray. He had intruded himself into politics, and had written vexatious letters to the Pope and to the King of Spain. As the heir of the House of Lennox, he was the natural enemy of the Hamiltons and all their powerful kindred; and in one way or another he had given cause to almost every nobleman in Scotland, except his father, to feel his presence there undesirable. His coming at all, though submitted to out of deference to the English Catholics, had revived sleeping feuds, and had broken up the unity of the Council; while at the same time it had estranged Elizabeth, and alienated the Protestant Lords, who had before been as loud as the rest in claiming the English succession for their sovereign. The marriage, so far as Scotland was concerned, had been a mistake. Could he have been got rid of by a divorce his life might have been spared; but a divorce would have tainted the Prince's legitimacy, and the Prince's birth had given treble strength to the Queen's party in England — strength sufficient, it might be hoped, to over-

come, after the first shock, the displeasure which might be created among them by his father's removal.

All these points had been talked over at Craigmillar, before the baptism of James at Stirling. A bond was signed there by Argyle, Bothwell, Huntly, Sir James Balfour, and perhaps by Maitland, the avowed object of which was Darnley's death. Morton, by his own confession, was invited to join, and had only suspended his consent till assured under the Queen's hand of her approval. There were other writings also, it will be seen, which were afterwards destroyed, because more names were compromised by them. But it seems equally certain that the relations between the Queen and Bothwell were kept secret between themselves. Darnley was to be made away with, only to open a way to some noble alliance with France or Spain; certainly not that his place might be taken by a ruffian Border Earl, whose elevation would be the most fatal of obstacles on the Queen's road to the high place which Scotch ambition desired for her.

Nor again were the other noblemen — unless perhaps Argyle be an exception — acquainted beforehand with the means by which the murder was actually effected. Had the work been left to such a man as Maitland, the wretched creature would have been made away with by poison — as was unsuccessfully tried at Stirling — or in some artificially created quarrel, or by some contrivance in which foul play, though it might be guessed at, could not have been proved. In that case it might have been hoped that Elizabeth, who had proclaimed Darnley traitor, had held his mother close prisoner in the Tower, had resented the marriage as an immediate attack upon her crown, would not look too curiously into a casualty so much

to her advantage; and Mary Stuart, free to choose another husband, might make fresh conditions for her place in the succession.

But Bothwell had withdrawn the management into his own hands. Although Maitland was in correspondence with the Queen when Darnley was brought up from Glasgow to Kirk-a-Field, there is no reason to suppose that he was admitted further into Bothwell's plans; and the murder had been brought about with such ingenious awkwardness that it had startled all Europe into attention. Unable to move, for their signatures compromised them, the Lords could but sit still and wait for what was to follow; but it is easy to understand the irritation with which they must have regarded the intruding blockhead who had marred the game, even though they could see no present means by which the fault could be rectified. It is easy to comprehend how intense must have been their disgust, as they began to find that, after all, they had been Bothwell's dupes — that he had been using them as the stepping stones to his own lust and his own ambition.

The populace of Edinburgh had come early to their own conclusions on the relations between the Queen and the Earl. On her return to Seton after Killigrew's departure, although she had promised that he should be placed on his trial for the murder, she took no pains to conceal the favour with which she regarded him. There were moments when her danger struck her, and she had passing thoughts of flying to France: but she had reason to fear no very favourable reception there. The French Court had not even gone through the form of sending to condole with her on her widowhood. The office had been proposed to the Marquis de Rambouillet, but he had declined it, and no one had

been chosen in his place.[1] But Catherine de Medici and Charles had written to tell her that if she did not exert herself to discover and punish the assassin, she would cover herself with infamy, and that she could expect for the future no friendship or support from France.[2] In that direction there was little to be looked for: so the Queen gathered up her nerves, resolving to trust her own resources, and to defy the world and its opinion.

As a preparation for the trial, she placed in Bothwell's hands the castles of Edinburgh, Blackness, and Inchkeith. Dunbar he held already, and Dumbarton was to be given to him as soon as he could collect a sufficient force to hold it.[3] Another placard, accusing him, was hung up on the Tolbooth door. The supposed author, a brother of Murray of Tullibardine, was proclaimed traitor. The ports were watched for him, and any "shipper" who should carry him out of the kingdom was threatened with death.[4] That Bothwell could be found guilty was certainly never contemplated as a possible contingency, for it was no longer a secret that the Queen meant to marry him as soon as he could be separated from his wife. The preliminaries of the divorce were being hurried forward, and Lady Bothwell, in fear of a worse fate for herself, had been induced to sue for it. A plea was found in Bothwell's own iniquities; and that no feature might be wanting

[1] Don Francis de Alava to Philip II. March 15: Teulet, Vol. I.

[2] "The Queen Mother and the French King did also write very sorely to the Queen, assuring her that if she performed not her promise in seeking by all her power to have the death of the King their cousin revenged, and to clear herself, she should not only think herself dishonoured, but to receive them for her contraries, and that they would be her enemies." — Drury to Cecil, March 29: *Border MSS.*

[3] Ibid.

[4] Royal Proclamation, March 12: Anderson.

to complete the foulness of the picture, his paramour, Lady Buccleuch, was said to be ready, if necessary, to come forward with the necessary evidence.[1]

The moral feeling of the age was not sensitive. The Tudors, both in England and Scotland, had made the world familiar with scandalous separations; and there were few enormities for which precedents could not be furnished from the domestic annals of the northern kingdom. Yet there was something in the present proceeding so preposterous, that even those most callous in such matters were unable to regard it with indifference. The honour of the country, the one subject on which Scottish consciences were sensitive, was compromised by so monstrous an outrage upon decency. The Queen's political prospects would be ruined, without any one countervailing advantage whatever, if it was allowed to take place. There was no national party to gratify, no end to gain, no family alliance to support or strengthen the Crown. Such a marriage under such circumstances would be simply a disgrace. It would be at once the consummation of an enormous crime, and a public defiant confession of it in the face of all men. The murder itself might have been got over, and the private adultery, even if it had been discovered, might have been concealed or condoned. But to follow up the assassination of her husband by an open marriage with the man whom all the world knew by this time to have been the murderer, was entirely intolerable. In such hands the

1 "For the divorce between Bothwell and his wife this is arranged, that the same shall come of her — alleging this — that she knoweth he hath had the company of the Lady Buccleugh since she was married to him." — Drury to Cecil, March 29: *Border MSS.* And again: "It is thought that the Lady of Buccleugh, if need be, will affirm he hath so done." — Same to same, April 13: Ibid.

baby Prince would be no safer than his father, and one murder would soon be followed by another.

When it became certain that so extraordinary a step was seriously contemplated, Sir James Melville says,[1] that "every good subject who loved the Queen had sore hearts." Lord Herries, the most accomplished of her friends, a man of the world, who saw what would follow, was the first to hasten to her feet to remonstrate. The Queen received him with an affectation of surprise. She assured him that "there was no such thing in her mind," and he could but apologise for his intrusion and retire from the Court at his best speed, before Bothwell had heard what he had done.

Melville himself tried next, and he received opportune assistance from a quarter to which of all others Mary Stuart could least afford to be indifferent. Thomas Bishop, her agent in England, of whom we shall hear again, and who was eventually hanged, being at this moment the expositor of the feelings of the leading English Catholics, wrote a letter to Melville, which he desired him to show to the Queen.

"It was reported in England," Bishop said, "that her Majesty was to marry the Earl Bothwell, the murderer of her husband, who at present had wife of his own, and was a man full of all sin. He could scant believe that she would commit so gross an oversight, so prejudicial every way to her interest and to the noble mark he knew she shot at. If she married that man she would lose the favour of God, her own reputation, and the hearts of all England, Ireland, and Scotland."

Thus armed, Sir James Melville, ever Mary Stuart's best adviser — and, even when she went her own

[1] *Memoirs of Sir James Melville.*

wilful way, the first to conceal her faults — entered his sovereign's presence and placed the letter in her hands. She read it, but she was in no condition to profit by it. She refused to believe that the letter had been written by Bishop. She said it was a device of Maitland's, "tending to the wreck of the Earl of Bothwell," and she sent for Maitland and taxed him with it. He of course assured her that he had nothing to do with it. His opinion she already knew, and he did not care to press it further. He told Melville that he had done more honestly than wisely, and that if Bothwell heard of it he would kill him.

"It was a sore matter," said Melville, "to see that good Princess run to utter wreck, and nobody to forewarn her of her danger." He once more protested to her that the letter was genuine, and that, whoever wrote it, it contained only the deepest truth. "He found she had no mind to enter upon the subject."[1] There was nothing more to be done. He did not then know the extent to which she had committed herself, and he and her other friends could but stand by with folded hands and wait the result.

The Earl of Lennox, encouraged by the promises extorted by Killigrew, after a fortnight's silence accepted the Queen's challenge to name the persons whom he accused. He specified Bothwell, with two of his followers; Sir James Balfour and four foreigners, palace minions, — Bastian, whose marriage had been the excuse for the retreat of the Queen from Kirk-a-Field, John de Bourdeaux, Joseph Ritzio, the favourite's brother, and Francis, one of Mary Stuart's personal servants. She replied that the Lords would in a few days assemble in Edinburgh. The persons

[1] *Memoirs of Sir James Melville*

named in his letter should then be arrested and abide their trial; and Lennox himself, "if his leisure or commodity might suit," was invited to be present.[1]

A trial of some sort could not be avoided. The question now was, in what form it would be best encountered. Argyle, Huntly, Maitland, the Archbishop of St. Andrew's, and several others were in Bothwell's power. Unless they consented to stand by him, he held their signatures to the Craigmillar bonds, and could produce them to the world. Yet feeling, as he could not choose but feel, the ticklish ground on which he stood with them — feeling too, perhaps, that there was no permanent safety for him as long as he remained so hateful to the now formidable mass of the middle classes — he made an attempt to gain the Earl of Murray, the one trusted leader of the popular party. The Queen sent for her brother to Seton.

Bothwell — if Lord Herries, who is the authority for the story, is to be believed — admitted his own guilt, but insisted "that what he had done and committed was not for his private interest only, but with the consent of others — of Murray himself with the rest." He therefore threw himself on Murray's honour, and invited him to subscribe a bond to stand by him in his defence.

The Queen added her entreaties to Bothwell's, but she, as well as he, signally failed. Murray professed himself generally anxious to discharge his duties to his Sovereign, but bond of any kind he refused to sign.[2]

The refusal may be laid to his credit, if the fair measure of a man's honesty is the standard of his time. As to his consent to the murder, he perempto-

[1] Mary Stuart to the Earl of Lennox, March 23: Keith.
[2] Keith, Vol. II. p. 609, *note*.

ray denied that it had been ever spoken of in his presence. It is unlikely that he should have been entirely ignorant of a conspiracy to which the whole Court in some degree were parties. His departure from Edinburgh on the morning of the murder suggests that he was aware that some dark deed was intended which he could not prevent. Yet it is to be observed that Bothwell himself, in his conversation with Paris before the deed was done, professed to expect nothing better from him than neutrality; and thus, had there been no inner intrigue, and had the assassination been merely political, he would have had no claim on Murray's help or forbearance. Yet, to decline to be the friend of the man who at the moment held the strength of Scotland in his hands, was no safe step for any man. Murray's life was in danger;[1] and seeing nothing that he could usefully do, and not caring to expose himself needlessly, he determined to carry out the resolution which he had already formed of leaving Scotland. Before he went he held a consultation with the Earl of Morton, and others who were in Morton's confidence; and, again, if Herries told the truth, something of this kind was determined upon. They saw no means of preventing the marriage without violence. The Queen was so infatuated that it was useless to appeal to her; and they could not conceal from themselves that the Prince's life was in as great danger as the Queen's honour. They agreed that as soon as possible she should herself be laid under restraint, and Bothwell be seized and put to death. Bothwell, however, was too powerful to be

April.

1 "It was determined of late to slay the Earl of Murray. Some are as willing he should be slain in Scotland as live abroad." — Drury to Cecil, March 29: *Border MSS.*

openly attacked, nor would there be a chance of reaching him through a court of justice. The road to his overthrow lay through a seeming compliance with his wishes — through perjury, treachery, and such arts as men like Morton and Maitland had no objection to meddle with, but not such as suited the Earl of Murray. Lord Herries says that they arranged among themselves that "Morton should manage all." There would be wild work, in which it was not desirable that Murray should take a part. "He would be the fitter afterwards to return and take the Government."[1] Herries was not present at this conference, and could only have heard what passed there at second hand. It is more probable that Morton laid before Murray the line of action which he proposed to follow, that Murray simply declined to have anything to do with it, and that he left Scotland in time to prevent calumny itself from fastening upon him any share in the events which followed. He went first to England, passing through Berwick on the 10th of April, and reaching London six days after. The truest account of his feelings, so far as his regard for the Queen of Scots allowed him to express them, will be found in the following letter from the Spanish Ambassador to Philip: —

DE SILVA TO PHILIP II.[2]

"*London, April* 21.

"The Earl of Murray, brother of the Queen of Scotland, arrived here on the 16th of this month. The next morning he had a long interview with the Queen. I do not yet know what passed between them. He paid a visit to me the day before yester-

[1] Keith, Vol. II. p. 609, 610, *note.*
[2] *MS. Simancas.*

day. He came to see me, he said, not only on account of the friendship between his Sovereign and your Majesty, but out of private regard for myself. He told me that he had his Queen's permission to go to Italy, and see Milan and Venice. He was going through France, though he would have much preferred Flanders, had not the Low Countries been so much disturbed. He had told his mistress, he said, that he wished to travel and see the places which he had mentioned; but in point of fact the Earl Bothwell was his enemy, and his life was not safe; the Earl Bothwell had four thousand men under his command, with the castles, among others, of Edinburgh and Dunbar, which contained all the guns and powder in the realm; and for himself, he did not mean to return till the Queen had done justice upon the King's murderers and their confederates. He could not honourably remain in the realm while a crime so strange and so horrible was allowed to pass unpunished. If any tolerable pains were taken, he said, the guilty parties could easily be discovered. There were from thirty to forty persons concerned in it, one way or another. He mentioned no names, but it was easy to see that he thought Bothwell was at the bottom of it.

"I asked him whether there was any truth in the report that Earl Bothwell was divorcing his wife. He said it was so; and from his account of the matter one never heard of anything so monstrous. The wife, to whom he has not been married a year, is herself the petitioner, and the ground which she alleges is her husband's adultery. I enquired whether he had ill-treated her, or if there had been any quarrel between them. He said, No. Her brother, Lord Huntly, had persuaded her into presenting the petition to please

Bothwell; and the Queen, at Bothwell's instance, has restored to Huntly his forfeited lands.

"He told me that the general expectation was, that after the divorce the Queen meant to marry Bothwell; but for himself he could not believe a person so nobly gifted as his sister could consent to so foul an alliance, especially after all that had passed. She was a Catholic, too, and a divorce, on such a ground was but a cessation of cohabitation — a divorce a toro, as the lawyers called it, which did not enable either parties to marry again so long as both were living. I asked if it would be permitted by his religion. He said it would not; but the French Ambassador is confident for all this, that if the divorce can be obtained, the Queen means to marry him."

While the world outside was speculating in this way, preparations were going forward at last for Bothwell's trial. The 12th of April was fixed as the day on which he was to take his place at the bar. Notice was served on Lennox, requiring him to be present and to produce his evidence; and the order of Council by which these arrangements were made, was signed, absurdly enough, by Bothwell himself, in connection with Huntly and Argyle. The Crown might have been expected to be a party to the prosecution; but the Crown made itself ostentatiously neutral, and it rather seemed as if, in the eyes of the government, the real criminal was the accuser. By the rule of the Court forty days should have been allowed to Lennox to call his witnesses. The day chosen for the trial left him but fifteen; and while his unhappy Countess in London was besieging the ear of the Spanish Ambas-

sador with her denunciations of Mary Stuart,[1] her husband was daily expecting that the proceedings would be brought to an abrupt end by his own murder.

Meantime, at Seton another document was prepared to which the Queen and Bothwell set their hands. It was drawn by Lord Huntly — or at least was in his handwriting. It set forth that the Queen being a widow, and being unwilling to remain without a protector in so troubled a country, she had thought it desirable to take to herself a husband. There were various objections to a foreigner, and therefore for his many virtues she had made choice of James, Earl of Bothwell, whom she proposed to marry as soon as his separation from "his pretended wife" should be completed by form of law.

To this engagement the Earl added a corresponding p[l]lge, that being free, and able to make promise of m[a]rriage, in respect of the consent of his said pretended spouse to the divorce, he did promise on his part to take her Majesty to be his lawful wife.[2] His brother-in-law and the Queen having thus committed themselves, he put the bond away in a casket, together with his remaining treasures of the same kind, in case they might be useful to him in the future — among the rest the fatal letter which the Queen had written to him from Glasgow, and which she had entreated him to burn.

Thus fortified, Bothwell was prepared to encounter

1 "Aunque es cuerda esta apasionada como madre, y en su opinion la Reyna de Escocia no esta libre de la muerte de su marido. Esta tan lastimado de la muerte del hijo que ella misma confiesa que no tiene intento á otra cosa si no a la vergança." — De Silva to Philip, March 24: *MS. Simancas.*

2 This is one of the famous casket documents, the authenticity of which will be discussed hereafter. It is printed in Anderson's *Collection.*

his trial. Tullibardine's brother, James Murray, the author of the Placards, was to have been Lennox's principal witness. The Queen made his appearance impossible, by ordering that he should be arrested on a charge of treason the first moment that he showed himself. Edinburgh swarmed with Bothwell's satellites; Lennox himself durst not venture thither till he had raised force enough to protect his life; and the short time allowed made it equally impossible for him to assemble his friends or prepare his evidence. He therefore wrote once more to the Queen, to beg that a later day might be named, and that proper means might be taken to enable him to do justice to a cause in which she was herself the person principally concerned. He again requested that the accused parties might be arrested and kept in confinement; above all, that they should not be allowed to remain in her Majesty's company. "It was never heard of," he justly said, "but that in trial of so odious a fact, suspected persons were always apprehended — of what degree soever they might be — even supposing they were not guilty of the fact till the matter was truly tried." "Suspected persons continuing still at liberty, being great in Court and about her Majesty's person, comforted and encouraged them and theirs, and discouraged all others that would give evidence against them; so that if her Majesty suffered the short day of law to go forward after the manner appointed, he assured her Majesty she should have unjust trial."[1]

To this application Mary Stuart replied that Lennox had himself objected to delay; she had named an early day in compliance with his own wishes, and she

[1] The Earl of Lennox to the Queen of Scots, April 11: *Cotton MSS. Calig. B* 9. Printed in Keith.

could not now make a change. Lennox had expected some such answer, and had made the best use of his time. He had come up to Stirling, from Glasgow, and though still inferior in force to Bothwell, had found men to go with him to Edinburgh, who would make a fight for it before he was murdered.[1] But the Queen had a fresh objection immediately ready. The presence of so many armed men of different factions would be dangerous to the peace of the capital. She required him, therefore, to limit his train to six of his personal servants.[2] It seemed as if she positively wished to convince the world that Bothwell's cause was her own. Bothwell was to stand his trial for the murder surrounded by an army of his and her retainers. By leaving the prosecution to Lennox, she treated the cause as if it were one in which public justice was in no way concerned; and she forbade him to use the most ordinary means of self-protection in the discharge of the duty which she had cast upon him. Her message could have but one effect. The trial would be opened, Lennox would not appear, and the charge would fall to the ground.

Her clear intellect must have been subdued to the level of Bothwell's before she could have expected to blind the world by these poor devices. Yet she evidently fancied that it would pass for a sufficient discharge of all that was required of her, and that the trial once over, the matter would be heard of no further.

As the day drew near, there was an ominous stillness in Edinburgh — a stillness made more awful by

1 Sir John Foster in a letter to Cecil of April 15, says he had raised 3000 men: *Border MSS., Rolls House.*

2 Foster to Cecil, April 15: Ibid.

wild voices heard about the streets at night.[1] Some of the wretches who were concerned in the murder had to be made safe, for fear they might reveal too much. One who wandered about in the darkness, proclaiming himself guilty, was caught and shut up in a prison, "called from the loathsomeness of the place the four thieves' pit."[2] Another who was thought dangerous was knocked on the head and buried out of the way.[3]

Lennox, guessing how his own remonstrances would be received, had sent a message through Sir William Drury to Elizabeth, requesting her to back his petition for delay.[4]

Elizabeth, "like an honourable Princess," had instantly written to the Queen of Scots. The messenger rode for his life, and reached Berwick with the letter on the night of the 11th of April. The trial was to be on the next day; and Sir William Drury sent it on by one of his officers, with a charge to him to deliver it without delay into Mary Stuart's hands. The officer, with his guide, was at Holyrood a little after daybreak, and, though unsuccessful in arresting Mary Stuart on her road to ruin, he has preserved, as

[1] "There is a man that nightly goeth about Edinburgh crying penitently and lamentably in certain streets of the town for vengeance on those that caused him to shed innocent blood. 'Oh, Lord, open the heavens, and pour down vengeance on me and those that have destroyed the innocent.' The man walketh in the night accompanied with four or five to guard him, and some have offered to take knowledge of him, but they have been defended by those which are about him." — Drury to Cecil, April 10: *Border MSS.*

[2] Same to same, April 19: *MS.* Ibid.

[3] "A servant of Sir James Balfour, who was at the murder, was secretly killed, and in like manner buried, supposed upon lively presumption of utterance of some matter either upon remorse of conscience or other folly which might tend to the whole discovery." — Ibid.

[4] Drury to Cecil, April 6: *Border MSS.*

in a photograph, the singular scene of which he was the witness.

His coming had been expected, and precautions had been taken to prevent him from gaining admittance. On alighting at the gate and telling the porter that he was the bearer of a despatch from the Queen of England, he was informed that the Queen of Scots was not yet awake and could not be disturbed. The door was closed in his face, and he wandered about the meadows till between 9 and 10, when he again presented himself. By this time all the Palace was astir; groups of Bothwell's retainers were lounging about the lodge; it was known among them that some one was come from England "to stay the assize," and when the officer attempted to pass in, he was thrust back with violence. At the noise of the struggle, one of the Hepburns came up and told him that the Earl, understanding that he had letters for the Queen, advised him to go away and return in the evening; "the Queen was so molested and disquieted with the business of that day, that he saw no likelihood of any time to serve his turn till after the Assize." He argued with the man, but to no sort of purpose. The gate was thrown back, and the quadrangle and the open space below the windows were fast filling with a crowd, through which there was no passage. Troopers were girthing up their saddles and belting on their sabres; the French guard were trimming their harquebusses, and the stable-boys leading up and down the horses of the knights. The Laird of Skirling, Captain of the Castle under Bothwell, strode by and told the guide that he deserved to be hanged for bringing English villains there; and presently the Earl appeared, walking with Maitland. The

April 12.

officer was chafing under "the reproaches" of the "beggarly" Scots, who were thronging round him and cursing him. They fell back as Bothwell approached, and he presented his letter. The Earl perhaps felt that too absolute a defiance might be unwise. He took it, and went back into the Palace, but presently returned and said, "that the Queen was still sleeping; it would be given to her when the work of the morning was over." A groom at this moment led round his horse — Darnley's horse it had been, and once perhaps, like Roan Barbary, "ate bread from Richard's royal hand!" The Earl sprang upon his back, turned round and glanced at the windows of the Queen's room. A servant of the French Ambassador touched the Englishman, and he too looked in the same direction, and saw the Queen "that was asleep and could not be disturbed," nodding a farewell to her hero as he rode insolently off.[1]

So went the murderer of Mary Stuart's husband to his trial, followed by his Sovereign's smiles and attended by the Royal guard; and we are called upon to believe that the Queen, the arch-plotter of Europe, the match in intellect for the shrewdest of European statesmen, was the one person in Scotland who had no suspicion of his guilt, and was the victim of her own guileless innocence. Victim she was, fooled by the thick-limbed scoundrel whom she had chosen for her paramour; duped by her own passions, which had dragged her down to the level of a brute. But the men were never born who could have so deceived Mary Stuart, and it was she herself who had sacrificed her own noble nature on the foul altar of sensuality and lust.

[1] Drury to Cecil, April —: *Border MSS.* Printed in the Appendix to the 9th volume of Mr. Tytler's *History of Scotland.*

As the Earl passed through the outer gate, a long loud cheer rose from the armed multitude. Four thousand ruffians lined the Canongate, and two hundred hackbutters formed his body-guard as he rode between the ranks. The high court of justice — so called in courteous irony — was held at the Tolbooth, where he alighted and went in. His own retainers took possession of the doors, "that none might enter but such as were more for the behoof of one side than the other."[1] There were still some difficulties to be overcome, and the anxiety to prevent a prosecutor from appearing was not without reason. The court could not be altogether packed, and there might be danger both from judges and from jury.[2] The Earl of Argyle presided as hereditary Lord Justice, and so far there would be no difficulty; but there were four assessors, one or more of whom might prove unmanageable if the case went forward — Lord Lindsay, Henry Balnavis, the Commendator of Dumfermline, and James McGill, the Clerk of the Register. On the jury were the Lord of Arbroath, Chatelherault's second son and presumptive heir of the House of Hamilton, and the Earl of Cassilis (the original of Walter Scott's "Front de Bœuf"). These would be true to Bothwell through good and evil. But the Earl of Caithness, the Chancellor of the Assize, was doubtful; Lord Maxwell had been Darnley's special friend; and Herries was truer to his mistress than to the dark man whom he feared as her evil genius.[3]

[1] Drury to Cecil, April —: *Border MSS.* Printed in the Appendix to the 9th volume of Mr. Tytler's *History of Scotland.*

[2] Ibid.

[3] The jury consisted of the Earls of Caithness, Rothes, and Cassilis; the Lord of Arbroath, Lords Ross, Sempell, Maxwell, Herries, Oliphant; and Boyd, the Master of Forbes, Gordon of Lochinvar, Cockburn of Lanton,

At eleven o'clock the Earl took his place at the bar. No trustworthy account has been preserved of the appearance of the man. In age he was not much past thirty. If the bones really formed part of him which have been recently discovered in his supposed tomb in Denmark, he was of middle height, broad, thick, and, we may fancy, bull-necked. His gestures were usually defiant, and a man who had lived so wild a life could not have been wanting in personal courage; but it was the courage of an animal which rises with the heat of the blood, not the collected coolness of a man who was really brave.

He stood at the bar "looking-down and sadlike." In the presence of the machinery of justice his insolence failed him; the brute nature was cowed, and the vulgar expression "hangdog" best described his bearing. One of his attendants, Black Ormiston, who had been with him at Kirk-a-Field, "plucked him by the sleeve." "Fye, my Lord," he whispered, "what Devil is this ye are doing. Your face shaws what ye are. Hauld up your face, for God's sake, and look blythly. Ye might luik swa an ye were gangand to the dead. Alac and wae worth them that ever devysit it. I trow it shall gar us all murne."

"Haud your tongue," the Earl answered; "I would not yet it were to do. I have an outgait fra it, come as it may, and that ye will know belyve." [1]

The Clerk of the Court now began to speak. "Whereas Matthew, Earl of Lennox," he said, "had delated the Earl Bothwell of the murder of the late

Somerville of Cambusnetham, a Mowbray, and an Ogilvy. Morton had been summoned, but had refused. He would have been glad to please the Queen, he said, but "for that the Lord Darnley was his kinsman he would rather pay the forfeit." — Drury to Cecil, April —: *Border MSS.*

[1] Confession of the Laird of Ormiston: Pitcairn, Vol. I. p. 512.

King, her Majesty, by advices of Council and at the instance of the Earl Bothwell himself, had ordained a court of Justiciaries to be held in the Tolbooth of Edinburgh for doing justice upon the said Earl, and the Earl of Lennox was required to appear and prove his charge."

The indictment followed. It had been drawn with a grotesque contrivance to save the consciences of such among the jury as were afraid of verbal perjury, for it charged the Earl with having committed the murder on February 9th; and whatever was the way in which Darnley was killed, the deed was certainly not done till an hour or two after midnight. Of this plea it will be seen that the Lords on the panel were not ashamed to avail themselves when afterwards called to account for their conduct.

Bothwell of course pleaded not guilty. Lennox was called, and did not answer, and the case would have collapsed, as every one present probably desired, when a person appeared whose part had not been arranged in the programme. Lennox was absent, but one of his servants, Robert Cunningham, ventured into the arena instead of him, and, rising among the crowd, said:

"My Lords, I am come here, sent by my master the Earl of Lennox, to declare the cause of his absence this day. The cause of his absence is the shortness of the time, and that he is denuded of his friends and servants who should have accompanied him to his honour and surety of his life; and he having assistance of no friends but himself, has commanded me to desire a sufficient day, according to the weight of the cause wherethrough he may keep the same. And if your Lordships will proceed at this present, I protest

that if the persons who pass upon assize and inquest of twelve persons that shall enter on panel this day do clear the accused person of the murder of the King, that it shall be wilful error and not ignorant, by reason that person is notorely known to be the murderer of the King; and upon this protestation I require ane document."

The protest was in proper form. The precipitation of the trial had been contrary to precedent; and Cunningham's demand, in the regular course of things, should have been supported by the Queen's advocates, who were present in the Court. They sate silent, however.[1] Bothwell's counsel produced Lennox's original letter, in which he had urged the Queen to lose no time in pressing the enquiry. The Queen had but done what the prosecutor desired, and he had now therefore no right to ask for more delay. There was no prosecution, no case, no witnesses. The indictment was unsupported. They required the Court, therefore, to accept the Earl's plea, and pronounce him acquitted.

Cunningham said no more, and the jury withdrew. Composed as they were of some of the best blood in Scotland, they did not like the business. There was "long reasoning," and the evening was closing in before they reappeared. Caithness, before the verdict was given in, read a declaration in all their names that, whereas no person had come forward to support the charge, "they could but deliver according to their knowledge," and therefore could not be accused of "wilful error." For himself, as if disdaining to avail

[1] "The Queen's advocates that should have inveighed against Bothwell are much condemned for their silence. The like at an assize hath not been used." — Drury to Cecil, April —; *Border MSS.*

himself of the subterfuge prepared for him, he put in his personal protest "that the Dittay was not true in respect that the murder was committed on February 10th, and not on the 9th," and "so the acquittal that way but cavillously defended."

With these qualifications, as it were washing their hands of the transaction to which they were made parties, Caithness and half the jury returned a verdict of Not Guilty. "The rest neither quitted him nor cleared him, but were silent."[1]

So at seven o'clock in the evening the business was happily terminated. The Queen had kept her promise to England and France; and the Earl, gathering up his courage again, "fixed a cartel against the Tolbooth door," as he left it — "wherein he offered to fight in single combat with any gentleman undefamed that durst charge him with the murder."

The Court would have acted more wisely had they left the insolent farce unplayed. The indignation of the Edinburgh burghers appeared in "the libels" which covered the walls. "The Lords" were charged "with wilful manœuvering to cover knavery." "Farewell, gentle Harry," was written at one place, "but vengeance on Mary." At another, a rude caricature represented Bothwell as a frightened hare surrounded by a ring of swords; Mary Stuart as a mermaid crowned, flashing fury out of her eyes, and lashing off the hounds that were pursuing her lover with a huntsman's double thong.

Murray of Tullibardine in his brother's place replied to the challenge by offering to prove Bothwell's

[1] Drury to Cecil, April 15: *Border MSS.* For Bothwell's trial see the printed account in Keith and Anderson, and the *Scotch and Border MSS.* for April, 1567, in the *Rolls House.*

guilt upon his body, with the sovereigns of France and England for judges of the combat.[1]

Sir William Drury himself, boiling over with scorn and anger, waited only for Elizabeth's permission to anticipate Murray and fight Bothwell himself;[2] and when the Queen of Scots ventured from Holyrood through the city, the women in the Grass-market rose at their stalls as she passed, and screamed after her, "God save your Grace, if ye be sackless of the King's death — of the King's death."[3]

One more unsigned but ominous "bill" was set up upon the Market Cross. "I am assured there is none that professes Christ and his Evangel that can with any upright conscience part the Earl Bothwell and his wife, albeit she justly prove him an abominable adulterer; and that by reason he has murdered the husband of her he intends to marry, whose obligation and promise of marriage he had long before the murder was done."[4]

Every hour it was evident that the relations between the Queen and Bothwell were becoming known. Too many persons had been admitted to the secret.

[1] Underneath Murray's cartel were these lines: —

It is not enough the puir King is dead,
But michand murtheraris occupied his stead,
And doubell addulterie has all this land schamit,
But all ye sillie Lordis man be defamit,
And wilfully ye man gar yourselves manswarin.
God put some end unto this sorrowful time,
And have ye saikless, nor troublit of this crime.

Scotch MSS. April 13, *Rolls House.*

[2] "If I thought it might stand with the Queen my sovereign's favour, I would answer it, and commit the sequel to God. I have sufficient to charge him with, and would prove it upon his body as willingly as obtain any suit I have." — Drury to Cecil, April —, 1567: *Border MSS.*

[3] Ibid.

[4] *Scotch MSS.*, April, 1567.

The truth was oozing out piece by piece from a hundred whispering tongues, and all the air was full of it.

But the goal was near in view, and they had gone too far to halt or hesitate. Two days after the trial, a Parliament, or such packed assembly as the Queen called by the name, met at Edinburgh. Lennox escaped to England. The Earls of Mar and Glencairn applied for license "to depart the realm for a season." The Archbishop of St. Andrew's and four other Prelates, six Earls, of whom Bothwell and Argyle were two, six other noblemen, and a few commoners, represented the Legislature of Scotland. To bribe the Protestants, an Act of Religion was passed, and the Queen for the first time formally recognised the Reformation. The price of the divorce was paid to Huntly, and the Gordon estates were restored, while in return "the purgation of Bothwell was confirmed, and the assize allowed for good." [1] To silence mutinous tongues, it was enacted that, "whereas various writings had been set up to the slander, infamy, and reproach of the Queen's Highness and divers of the nobility, the Queen and Estates ordained that in time coming, when any such placard or defamation was found, the person first seeing the same should take it or destroy it, that no further knowledge nor copy should pass of the same; if such person failed therein, and either the writing was copied or proceeded to further knowledge among the people, the first seer and finder should be punished in the same manner as the first inventor and upsetter, if he was apprehended; the defamers of the Queen should be punished with death, and all others with imprisonment at the Queen's pleasure.[2]

[1] Drury to Cecil, April 19: *Border MSS.*

[2] Proceedings of Parliament, April, 1567. Printed in Keith.

Five days were sufficient for these measures. The Parliament was dissolved on the 19th, and the same evening, to celebrate the occasion, the Earl of Bothwell invited the Peers and Bishops to sup with him at a place called Ainslie's Tavern. The Primate and five other Prelates, among whom was Leslie, the afterwards celebrated Bishop of Ross, the Earls of Argyle, Huntly, Sutherland, Cassilis, Eglinton, and some others, were present. The wine went round freely, and at length Bothwell rose and produced a bond, which he offered to their signature, as he pretended, by the Queen's desire. The first clauses related personally to himself.

"The undersigned" were required to say that, inasmuch as the accusation against the Earl of Bothwell had been disposed of in open court, and as all noblemen in honour and credit with their Sovereign were subject to suspicion and calumnies, they were determined to resist such slanders, and if the Earl was again accused, they would stand by him and take part with him.

So far there was little difficulty; most of the guests were more or less interested in suppressing future enquiry into the business of Kirk-a-Field. The remaining paragraphs were of graver import. The "bond" continued thus: —

"Considering further the time present, and how the Queen's Majesty, their Sovereign, was now destitute of a husband, in which solitary state the commonwealth of their country would not permit her to continue, should her Majesty be moved by respect of his faithful services to take the Earl Bothwell to her husband, they and every one of them, upon their honour, truth, and fidelity, promised to advance and set forward the marriage with their counsel, satisfaction, and assistance,

as soon as the law would allow it to be done; and to esteem any one as their common enemy and evil willer who endeavoured to hinder it."

To this precious document from twelve to twenty noblemen,[1] besides the Bishops, were induced to set their hands; some, like the Primate, in deliberate treachery, to tempt the Queen into ruin; some, it was afterwards pretended, in fear of Bothwell's "hackbutters," who surrounded the house; some, perhaps the most, from moral weakness and want of presence of mind. Eglinton "slipped away," and saved his honour thus. Morton and Maitland either did the same, or they had sufficient fortitude to withhold their signatures. They said generally that they would not oppose the marriage; but they declined to commit themselves to the bond.[2]

Such was the celebrated Ainslie's supper, of all bad transactions, in that bad time, in common esteem the most disgraceful, yet a fit sequel to what had preceded it, and on the whole less mischievous than the trial at the Tolbooth. At the supper the noble Lords and other high persons did but compromise their own characters, in which there was little left to injure. In the

1 The original bond was destroyed. It survives only in copies, the signatures were supplied by recollection, and the different lists do not agree. The Scotch list, usually printed as authentic, contains Murray's name, though Murray was in England; Glencairn's, though there is no evidence that he was in Edinburgh at the time; and Morton's, who can be proved distinctly not to have signed. A list found among the French State Papers, bespeaks credibility by the omission of Murray and Glencairn, though again it is obviously inaccurate, since this also contains the name of Morton. See the lists in Keith, Vol. II. p. 566, Lawson's edition; and "A Copy of the Bond signed by the Lords, April 19, 1567": *MSS. Scotland, Rolls House.*

2 "The Lords have subscribed a bond to be Bothwell's friends in all actions, saving Morton and Lidington, who, though they yielded to the marriage, yet in the end refused to be his in so general terms." — Drury to Cecil, April 27: *Border MSS.*

High Court of Justice the fountains of society were poisoned.

By neither one nor the other did Bothwell gain much. All hated him, even those who seemed his friends; and he himself had little confidence in the promises, which he had taken such pains to obtain. Meanwhile the people — those to whom Knox had contrived to bring some knowledge of right and wrong, those who could feel the natural indignation of honest men against atrocious wickedness — began at this last outrage to rouse themselves to action. Glencairn and Mar, though they had thought of leaving the country, were still at their posts, and Mar for the present was keeping watch over the infant Prince at Stirling. If only Elizabeth would support them, they might yet make an effort to save their Queen from completing her dishonour. They could none of them trust Elizabeth. She had forfeited their confidence once for all in her shuffling desertion of Murray. Whatever she might privately feel or desire, they could not feel certain that, even in their present circumstances, she would maintain them openly in resistance to their sovereign. Yet it was impossible to sit still; and Sir William Kirkaldy, of Grange, was selected in Murray's absence to feel the temper of the English Government. The day after Ainslie's supper, Grange wrote thus to Cecil: —

"It may please your Lordship to let me understand what will be your Sovereign's part concerning the late murder committed among us; for albeit her Majesty was slow in all our last trouble, and therefore lost that favour we did bear unto her, yet nevertheless if her Majesty will pursue for the revenge of the late murder, I dare assure your Lordship she shall win thereby all the

hearts of all the best in Scotland again. Further, if we understood that her Majesty would assist us and favour us, we should not be long in revenging of this murder. The Queen caused ratify in Parliament the cleansing of Bothwell. She intends to take the Prince out of the Earl of Mar's hands, and put him into Bothwell's keeping, who murdered the King his father. The same night the Parliament was dissolved, Bothwell called the most part of the noblemen to supper, for to desire of them their promise in writing and consent for the Queen's marriage, which he will obtain; for she has said that she cares not to lose France, England, and her own country for him, and shall go with him to the world's end in a white petticoat ere she leave him. Yea, she is so far past all shame, that she has caused make an Act of Parliament against all those that shall set up any writing that shall speak anything of him. Whatever is unhonest reigns presently in this Court. God deliver them from their evil." [1]

Elizabeth was incredulous as ever, as to any actual complicity of the Queen of Scots in the murder itself. Yet the treatment of her officer, the trial, and the general news which came in day after day from Scotland had already compelled her to see how deeply Mary Stuart was compromising herself. She spoke to the Spanish Ambassador, with genuine distress, of the contemptuous evasion of her desire that the trial might be postponed. The Spanish Ambassador, in his account to Philip, seemed equally scandalized. "The Earl," he said, "had been acquitted by the Queen of Scots' own order. Lennox was not allowed to be present; the Court was surrounded by armed men in the Earl's pay; and though a majority of the judges,

[1] Grange to Cecil, April 20: *MSS. Scotland, Rolls House.*

under the Queen's influence, had acquitted Bothwell, because no prosecutor appeared, many of them had refused to vote." [1]

On the arrival of Grange's letter, Elizabeth determined to make one more effort, and force the Queen of Scots to see the construction which Europe was placing upon her conduct. A paper of notes, in Cecil's hand, dated the 25th of April, contains the substance of his thoughts about it. "The enquiry into the murder could not and should not be stifled. The Queen of Scots should be made to understand what manner of bruits and rumours were spread through all countries about her, gathered as they were by indifferent men upon beholding the proceedings in Scotland since the King's death. If it was true that she thought of marrying Bothwell, so monstrous an outrage must be prevented." Lord Grey, as a person unconnected with Scotch practices, was chosen to go down to Holyrood and reason with her. He was instructed to tell the Queen of Scots that Elizabeth was simply shocked at the reports which were brought to her. "No discovery had been made of the malefactors." "Such as were most touched with the crime were most favoured, retained in credit, and benefited with gifts and rewards. The father, and others of the King's friends, that should orderly seek the revenge, were forced by fear to retire from the Court, and some of them deprived of their offices." "Her Majesty was

[1] "No pareció acusador ni testigo contra el Conde, y assi fué dado por libre por la mayor parte de los jueces; porque la Reyna mandó que declarasen: y los demas no quisieron votar en ello, pareciendoles que no habia libertad en el juicio, porque el Conde Bothwell tenia consigo mucha gente, y el de Lennox no podia venir sino con seis á caballo como se le habia ordenado, por manera que no vinó quien acusase ni hablase en ello, segun me certifican." — De Silva to Philip, April 21: *MS. Simancas.*

greatly perplexed what to do in a case of such moment," whether to believe nothing of what she heard, "or, giving credit but in some part, to enter into doubtfulness of the Queen's integrity, which of all other things she most misliked to conceive." "The Queen of Scots was her sister and kinswoman. The young gentleman that was foully murdered was born a subject of her realm, and in like degree her kinsman." The world pointed with one consent at Bothwell as the assassin. "His malice to the King was notoriously deadly. The King in his life feared his death by Bothwell, and sought to have escaped out of the realm." Yet the castles of Edinburgh and Leith had been since given in charge to this man, "and generally all credit and reputation conveyed only to him and his that were most commonly charged with the King's death." "Contempt, or at least neglect, had been used in the burial of the King's body. His father, his kin, and his friends were forced to preserve themselves by absence;" and while Lennox was forbidden to appear at the trial with more than six of his servants, "the person accused was attended with great companies of soldiers." [1]

As in her first letter, when first she heard of the murder, as in the despatch of Killigrew, as in her ineffectual effort to prevent Mary Stuart from committing herself to the mockery of justice; so again in this intended message, Elizabeth was fulfilling those duties of kind and wise friendship, which Mary Stuart's advocates complained afterwards that she had been deprived of; but before Grey could start on his mission,

[1] Instructions to Lord Grey sent in post to the Queen of Scots, April — 1567. In Cecil's hand: *MSS. Scotland, Rolls House.*

fresh news arrived which made this and every other effort in the Queen of Scots' interests unavailing.

Notwithstanding Ainslie's supper, neither the Earl nor the Queen could feel assured that their marriage arrangements would progress satisfactorily. They could not conceal from themselves that it was regarded by every one with intense repugnance. Bothwell, as events afterwards proved, possessed not a single friend among the Lords, and not to be his friend at such a time was to be his deadly enemy. Morton and Maitland affected to be not ill-disposed towards him; but their negative attitude was more than suspicious, and the delay even of the few weeks which would elapse before the Divorce Court could release Bothwell from his wife might give an opportunity for commotion at home, or for some interference from Elizabeth, which might equally be fatal to their wishes. Nor was the Earl's position with the band of desperadoes that he had collected about him any more reassuring. He had no money to pay them with. Two days after the separation of the Parliament they mutinied in the hall at Holyrood. Bothwell attempted to seize one of the ringleaders, but his comrades instantly interfered, and the Earl, after a savage altercation, could only quiet them by promises, which he could not hope to redeem, except by some speedy measure which would give him the immediate control of the kingdom.

On the 22d of April, the day which followed this commotion, Mary Stuart went to Stirling, professedly to visit her child. The general suspicion was that she intended, if possible, to get the Prince into her own hands, and either carry him back with her to Edinburgh, or place both the child and Stirling Castle in Bothwell's keeping. If this was her design, it was

defeated by the prudence of the Earl of Mar, who, in admitting the Queen within the gates, allowed but two ladies to accompany her. But there was a second purpose in the expedition, which the following letters will explain.[1]

THE QUEEN OF SCOTS TO THE EARL BOTHWELL.

"Of the time and place I remit me to your brother[2] and to you. I will follow him, and will fail in nothing in my part. He finds many difficulties. I think he does advertise you thereof, and what he desires for the handling of himself. As for the handling of myself, I heard it once well devised. Methinks that your services and the long amity, having the good will of the Lords, do well deserve a pardon, if above the duty of a subject you advance yourself, not to constrain me, but to assure yourself of such place near unto me, that other admonitions or foreign persuasions may not let me from consenting to that that you hope your service shall make you one day to attain; and to be short, to make yourself sure of the Lords and free to marry; and that you are constrained for your surety, and to be

[1] These letters were found in the celebrated casket with the others to which reference was made in the preceding volume. I accept them as genuine because, as will be seen, they were submitted to the scrutiny of almost the entire English peerage, and especially to those among the peers who were most interested in discovering them to be forged, and by them admitted to be indisputably in the handwriting of the Queen of Scots; because the letters in the text especially refer to conversations with Lord Huntly, who was then and always one of Mary Stuart's truest adherents — conversations which he could have denied had they been false, and which he never did deny; because their contents were confirmed in every particular unfavourable to the Queen by a Catholic informant of the Spanish Ambassador, who hurried from the spot to London immediately after the final catastrophe for which they prepared the way; and lastly, because there is no ground whatever to doubt the genuineness of the entire set of the casket letters, except such as arises from the hardy and long-continued but entirely baseless denial of interested or sentimental partisans.

[2] Bothwell's brother-in-law, the Earl of Huntly.

able to serve me faithfully, to use an humble request joined to an importune action; and to be short, excuse yourself and persuade them the most you can that you are constrained to make pursuit against your enemies. You shall say enough if the matter or ground do like you, and many fair words to Lidington.[1] If you like not the deed, send me word, and leave not the blame of all unto me."

Amidst obscurity in some of the allusions, the drift of this letter is generally plain, when interpreted by what actually occurred. Lest interference in Scotland, or the admonition or persuasion of England or France, should dash the cup from their lips, the lovers had laid a plan, to which the Earl of Huntly was a consenting party, that Bothwell should carry off the Queen by seeming force. She was to return to Edinburgh on the 24th; she could be intercepted on the way, and the violence which had been offered to her would then make the marriage a necessity; while Bothwell could plead his own danger, and the general difficulties of his position as an excuse for his precipitancy.

It was a wild scheme — not so wild perhaps in Scotland as it would have seemed in any other country, but still full of difficulty. Lord Huntly, on mature consideration, was against attempting it; the Queen could not travel without a strong escort, and the escort, though it might be under Huntly's own command, would resist unless taken into the secret.

A few hours after the last letter the Queen wrote again: —

"My Lord, since my letter written, your brother-in-law that was came to me very sad, and has asked my counsel what he should do after to-morrow, because

[1] Maitland.

there are many here, and among them the Earl of Sutherland, who would rather die than suffer me to be carried away, they conducting me — and that he feared there should some trouble happen of it — that it should be said of the other side he was unthankful to have betrayed me.

"I told him he should have resolved with you upon all that, and that he should avoid if he could those that were most mistrusted.[1] He has resolved to write thereof to you by my opinion; for he has abashed me to see him so unresolved at the need. I assure myself he will play the part of an honest man; but I have thought good to advertise you of the fear he has that he should be charged and accused of treason, to the end that without mistrusting him you may be the more circumspect, and that you may have the more power. We had yesterday[2] more than 300 horse of his and Livingstone's. For the honour of God be accompanied rather of more than less, for that is the principal of my care."

Again, and still more deeply, it seems that Huntly's mind misgave him. In a third note, the Queen said, that he had returned a second time and "preached unto her that it was a foolish enterprise, and that with her honour she could never marry Bothwell, seeing that he was married already; his own people would not allow her to be carried off, and the Lords would unsay their promises."

"I told him," she said, "that seeing I was come so far, if you did not withdraw yourself of your- April 23.
self, no persuasion nor death itself should

[1] i. e. in selecting the men who were to form her guard, he should choose those on whom he could rely, *not* to resist.

[2] On the way to Stirling, April 22.

make me fail of my promise. I would I were dead for I see all goes ill. Dispatch the answer that I fail not, and put no trust in your brother for this enterprise, for he has told it." [1]

This last note must have been written from Stirling at midnight, between the 23d and 24th of April. Bothwell was lying in wait at Linlithgow, and not daring to trust Huntly further, the Queen sent it to him by the trusted hands of Paris the page.[2] The Earl, when Paris found him, was lying asleep, "his captains all about him." He rose, wrote a hasty answer, and as he gave it into the page's hands said, "Recommend me humbly to her Majesty, and say I will meet her on the road to-day at the bridge." [3]

The scheme had got wind. The Queen's own

[1] This is confirmed by Sir William Drury, who writes to Cecil: — "Bothwell was secretly at Linlithgow the night before he took the Queen. In the morning he broke with Huntly of his determination for the having the Queen, which in no respect he would yield unto." — *Border MSS. Rolls House.*

[2] "Je vous envoye ce portier car je n'ose me fier à vostre frère de ces lettres ni de la diligence." The original French of this letter, and of one other, has at last been recovered. The solitary critical objection to the genuineness of the letters has been rested on the obvious fact that although Mary Stuart corresponded with Bothwell in French, the French version which was published by Buchanan contained Scotch idioms and must have been translated from Scotch. It was naturally conjectured in reply that the originals were out of Buchanan's reach, and that his French and Latin versions of the letters were retranslations from the Scotch translation, which was made when they were first discovered. It is now certain that this was the truth. On the examination of the original letters at Westminster, two were produced before the others, and of these two, copies were taken at the time, one of which, that which I have quoted in the text, is at Hatfield among Cecil's notes of the examination. The other, that commencing "Monsieur, s'y l'ennuy de vostre absence," is in the *Record Office, MSS. Mary Queen of Scots*, Vol. II. No. 66. This part of the question may thus be said to be set at rest. The Hatfield letter is endorsed "From Stirling upon the ravishment."

[3] "Recommendes me humblement à la Majestie, et luy dictes que j'yray aujourdhuy la trouver sur la chemyn au pont." — *Confession of Nicholas Hubert, called Paris*: Pitcairn, Vol. I. p. 510.

movements, the considerable preparations which had been made by Bothwell at Dunbar, and the large number of armed men which he had collected at Linlithgow, had quickened the already roused suspicions of the people.[1] Huntly had betrayed the secret, dreading the indignation of the noblemen who were still hoping to save the Queen; and so well it was known, that Lennox, writing from some hiding-place where he was waiting for a ship to take him to England, was able to inform his wife particularly of what was about to happen.[2] The Queen, however, was too infatuated to care for the consequences: on the morning of the 24th she took leave of the Prince; not finding herself able to carry him with her as she had meant to do, she commended him rather needlessly to the care of the Earl, whose chief business was to protect him from his mother;[3] she then

April 14.

[1] On the morning of the 24th Sir William Drury wrote from Berwick: "This day the Queen returns to Edinburgh or Dunbar. The Earl Bothwell hath gathered many of his friends, some say to ride in Liddisdale, but there is feared some other purpose which he intendeth much different from that, of the which I believe shortly I shall be able to advertise more certainly." — Drury to Cecil, April 24: *Border MSS.*

[2] "The Queen returns this day from Stirling. The Earl of Bothwell hath gathered many of his friends. He is minded to meet her this day, and take her by the way and bring her to Dunbar. Judge ye if it be with her will or no." — The Earl of Lennox to Lady Lennox, April 24: *MSS. Scotland, Rolls House.*

[3] Sentiment, both in words and in painting, has made much of this parting charge of Mary Stuart to the Earl of Mar. The story current at the time in Scotland, though as improbable as the fine sentiments attributed on the occasion to the Queen, is more characteristic of contemporary feeling. Sir William Drury writes: —

"At the Queen's last being at Stirling the Prince being brought unto her, she offered to kiss him, but the Prince would not, but put her face away with his hand, and did to his strength scratch her. She took an apple out of her pocket and offered it, but it would not be received by him, but the nurse took it, and to a greyhound bitch having whelps the apple was thrown. She ate it, and she and her whelps died presently; a sugar loaf also for the Prince was brought thither at the same time and left there

mounted her horse, and, attended by Huntly, Maitland, James Melville, and her ordinary guard, she prepared for the concluding passage of Bothwell's melodrama. The first act of it had been the King's murder; the second the trial at the Tolbooth; the scene of the third was Almond Bridge, two miles from Edinburgh on the road to Linlithgow. There, as he had promised, the adventurous Earl lay waiting for the Queen of Scotland; as the royal train appeared he dashed forward with a dozen of his followers and seized her bridle-rein; her guard flew to her side to defend her, when, with singular composure, she said she would have no bloodshed; her people were outnumbered, and rather than any of them should lose their lives, she would go wherever the Earl of Bothwell wished. Uncertain what to do, they dropped their swords. Huntly submitted to be disarmed, and, with Maitland and Melville, was made prisoner. Their followers dispersed, and Bothwell, with his captives and the Queen, rode for Dunbar. The thinnest veil of affectation was scarcely maintained during the remainder of the journey. Blackadder, one of Bothwell's people who had charge of Melville, told him as they went along, that it was all done with the Queen's consent.[1] Drury, writing three days later from Berwick, was able to say that the violence which had been used was only apparent.[2] The road skirted the south wall of Edinburgh. Some one was sent in as if to ask for assistance for the Queen, and Sir James Balfour replied by firing the Castle guns at Bothwell's troop;

for the Prince, but the Earl of Mar keeps the same. It is judged to be very evil compounded." — Drury to Cecil, May 20: *Border MSS.*

[1] *Memoirs of Sir James Melville.*

[2] "The manner of the Earl Bothwell's meeting with the Queen, though it appears to be forcible, yet it is known to be otherwise." — Drury to Cecil April 27: *Border MSS.*

but "the pieces had been charged very well with hay,"[1] and gave out sound merely. Even the Spanish Ambassador, in transmitting to Philip the opinion of a trustworthy Catholic informant, could but say that "all had been arranged beforehand, that the Queen, when the marriage was completed, might pretend that she had been forced into consent.[2]

It was twelve o'clock before the party reached Dunbar. There, safe at last in his own den, the Earl turned like a wolf on the man who had attempted to stand between him and his ambition. "Maitland," it is said, "would have been slain that night," but for the protection which his mistress threw over him. Huntly and Bothwell both set on him, and Mary Stuart — be it remembered to her honour — thrust her body between the sword-points and the breast of one whose fault was that he had been her too faithful servant. "She told Huntly that if a hair of Lidington's head did perish, she would cause him forfeit lands and goods and lose his life."[3] Melville and Huntly were released the following morning, but Maitland was detained close prisoner, and was still in danger of murder. He contrived to communicate with the English at Berwick, to whom he intended if possible to escape. The Queen remained to suffer (according to her subsequent explanation of what befell her) the violence which rendered her marriage with Bothwell a necessity, if the offspring which she expected from it was to be born legitimate.

But this concluding outrage determined the action

1 Drury to Cecil, May: *Border MSS.*

2 De Silva to Philip, May 3: *MS. Simancas.*

3 Maitland himself described the scene to Drury. It is likely that Huntly had consulted Maitland at Stirling, that Maitland revealed the scheme to the Lords, and that Huntly desired to save himself from Bothwell's fury at Maitland's expense. — Drury to Cecil, May 6: *Border MSS.*

of the nobility. The last virtue which failed a Scot was jealousy of his country's honour — and they felt that they were becoming the byword of Europe. They wrote to Mary on the 27th of April offering her their swords, if it was true that she had been carried off unwillingly,[1] and requesting to be certified of her pleasure; but whatever that pleasure might be, they determined to acquiesce no longer in her remaining the companion of Bothwell. Elizabeth had given them no sign of encouragement, but Du Croc the French Ambassador said, that whenever they pleased to ask for it, they might have assistance from France. The Scotch alliance was of infinite moment to the Court of Paris; the Queen of Scots had forfeited for a time the affection even of her own relations; she had flung away the interests of the Catholic League upon a vulgar passion; and if the Scots would return to their old alliance, the French Court were ready to leave them free to do as they pleased with her. There was a profound belief that the Queen of Scots was a lost woman; that she would be a disgrace to any cause with which she was connected; and if the friendship of Scotland could be recovered to France by sacrificing her, it would be cheaply purchased.

Thus assured of support from one side or the other, the Earls of Mar, Morton, Athol, Argyle and others, assembled at Stirling a few days after Mary Stuart was carried off. They were determined at all hazards to take her out of Bothwell's hands; and if after the letter which they had addressed to her she persisted in remaining with him, they made up their minds to depose her and crown the infant Prince.[2] Kirkaldy, a

[1] The Lords to the Queen of Scotland, April 27, from Aberdour: *MS.* in possession of Mr. Richard Almack.

[2] Drury to Cecil, May 5: *Border MSS.*

friend of England, induced them with some difficulty to consult Elizabeth once more.

"The cold usage of my Lord of Murray," Sir Robert Melville wrote to Sir Nicholas Throgmorton, "lost your sovereign many hearts in this realm; they may be recovered, if she will be earnest in this most honest cause, and nourish a greater love than ever was between the countries, that both Protestant and Papist may go one way.[1] May.

"The Queen," wrote Kirkaldy to Lord Bedford,[2] "will never cease till she has wrecked all the honest men of this realm. She was minded to cause Bothwell ravish her, to the end that she may the sooner end the marriage which she promised before she caused murder her husband. There is many that would revenge the murder, but that they fear your mistress. The Queen minds hereafter to take the Prince out of the Earl of Mar's hands, and put him in his hands that murdered his father. I pray your Lordship let me know what your mistress will do, for if we seek France we may find favour at their hands, but I would rather persuade to lean to England."

Elizabeth still continued silent, and the French overtures continuing, the Lords were unwilling to wait longer upon her pleasure. It was known that Bothwell intended to destroy the Prince, for fear the Prince when he grew to manhood should revenge his father's death. There was no time to be lost, and they insisted on knowing explicitly what they were to look for from England. Du Croc, they said, had promised in the name of the King of France, that if they would relinquish the English alliance, they

[1] May 5, 1567: *MSS. Scotland, Rolls House.*
[2] Grange to Bedford, April 26: *MS.* Ibid.

should have assistance to "suppress" Bothwell. Du Croc had warned the Queen herself that if she married Bothwell, "she must expect neither friendship nor favour" from the French Court. Finding that "she would give no ear" to his remonstrances, he had offered to join the Lords at Stirling openly in his master's name; he had been lavish of promises if at the same time they would abandon the English; and the Lords gave Elizabeth to understand that she must send them some answer, and hold out to them some encouragement, or the hand so warmly offered by France would be accepted.[1]

Elizabeth, since her misadventure at the time of the Darnley marriage, had resolved to have no more to do with Scotch insurgents. Interference between subject and Sovereign had never been to her own taste. She had yielded with but half a heart to the urgency of Cecil, and she had gone far enough to commit herself, without having intended even then to go farther. The result had been failure, almost dishonour, and the alienation of a powerful party who till that time had been her devoted adherents. She was again confronted with a similar difficulty, and at a time which was extremely critical. The eight years, at the end of which, by the terms of the peace of Cambray, Calais was to be restored to England, had just expired. She had sent in her demand, and the French Government

[1] Sir Robert Melville impressed on Cecil the same view of the question. "Thus far," he said, "I will make your honour privy. France has offered to enter in bond with the nobility of the realm, and to give divers pensions to noblemen and gentlemen, which some did like well of; but the honest sort have concluded and brought the rest to the same effect, and will do nothing that will offend your Sovereign without the fault be in her Majesty; and it appears both Papist and Protestant serve together with an earnest affection for the weal of their country." — Robert Melville to Cecil, May 7: *MSS. Scotland.*

had replied that the peace of Cambray had been violated by England in the occupation of Havre, and that they were no longer bound by its provisions. On the part of England, it had been rejoined that the peace had been first broken by France in the usurpation of the English arms by Mary Stuart and the Dauphin, and by the notorious preparations which had been made to dethrone Elizabeth in their favour. So the dispute was hanging. The feeling between the two countries was growing sore and dangerous, and in the midst of it Elizabeth was encountered by the dilemma of having to encourage a fresh revolt of the Scots, or of seeing the entire results of Cecil's policy undone, and Scotland once more in permanent alliance with England's most dangerous neighbour. What was she to do? As usual, she attempted to extricate herself by ambiguities and delays. Lord Grey's instructions were out of date before he had started. She did not renew them; Grey remained at the Court, and she communicated with the Lords through the Earl of Bedford, who had returned to Berwick.

The rescue of the Queen, she said, the prosecution of the murderers of Darnley, and the protection of the young Prince, were objects all of which were most desirable; she was pleased to find her own friendship preferred to that of France; but she desired to be informed "how she might, with honour to the world and satisfaction to her conscience," "intermeddle" to secure those objects. She could not see how it could be said that the Queen of Scots was forcibly detained by Bothwell, seeing that "the Queen of Scots hourly had advertised him in a contrary manner;" and again, however much the punishment of the murderers was to be wished for, if Bothwell married the

Queen — "being by common fame the principal author of the murder" — she could not tell how it could be brought about "without open show of hostility." The Lords, therefore, must tell her more particularly how they meant to proceed, and she hoped their intentions might be such as "she could allow of in honour and conscience." As to deposing the Queen and crowning the Prince, "she thought it very strange for example's sake." [1]

Elizabeth was more than usually enigmatical, since her real object was one which she durst not avow. Both she and the French desired to get the person of the Prince into their hands, under pretence of providing for his safety, and whichever first approached the subject might throw the prize into the hands of the other. Bedford, however, was permitted to hint what the Queen could not say, and to make the suggestion less unpalatable, he was allowed — as usual on his own responsibility — to hold out indefinite hopes to the Lords that they might calculate on Elizabeth's assistance more surely than her own letter implied.[2]

But events were moving too fast for diplomacy of this kind. It was now publicly understood in Scotland that the marriage waited only till Bothwell's divorce suit was concluded, and the people were growing daily more fearless in the expression of their indignation. The boys at Stirling played the murder of Darnley before the Lords. The trial of Bothwell followed, and the boy who represented Bothwell was found guilty, hurried to the gallows, and hung with such hearty good-will that, like the London youth who

[1] Bedford to Grange, June 5; Bedford to Cecil, June 5: *MSS. Scotland Rolls House.*

[2] Ibid.

played Philip before Wyatt's insurrection, he was half dead before they cut him down.[1] The law courts in Edinburgh were closed, as if the powers of the magistrates had ceased with the Queen's confinement. The whole country was hushed into the stillness which foretold the coming storm. Mary Stuart herself appeared entirely careless. She replied at last to the question which had been presented to her by the Lords: "It was true," she said, "that she had been evil and strangely handled;" but she had since "been so well used and treated that she had no cause to complain, and she wished them to quiet themselves."[2] The Hamiltons, for their own purposes, had held aloof from the Stirling confederates; the Archbishop of St. Andrew's, the Duke's brother, had charge of the divorce case, which he was hurrying forward with all the speed which his courts allowed; and relying on the treacherous support of his family, she despised alike the warnings and the menaces of the rest.[3] The difficulty foreseen by De Silva had occurred in Bothwell's suit; the divorce being demanded by the wife on the ground of her husband's adultery, the law did not permit him to marry again. Lady Buccleuch had come to the rescue by volunteering to swear that he had promised marriage to her before he had married Lady Bothwell, and that the latter, therefore, was not lawfully his wife;[4] but shameless as the parties were, this resource was too much for their audacity; and at length a cousinship in the fourth degree was discov-

[1] Drury to Cecil, May 14: *Border MSS.*

[2] Same to same, May 5: *MS.* Ibid.

[3] "The Hamiltons are furtherers of the divorce, and not least gladdened with the proceedings at Court, hoping the rather to attain the sooner to their desired end." — Same to same, May 2: *MS.* Ibid.

[4] Same to the same, April 30: *MS.* Ibid.

ered between the Hepburns and the Gordons, for which the required dispensation had not been procured. On this ground the Archbishop declared Bothwell's marriage null; for fuller security a suit was instituted in the Protestant Consistorial Court on the plea of adultery; and thus in the first week in May the Earl found himself as free to marry again as his own and the Archbishop's iniquity could render him. The object of the stay at Dunbar having been accomplished, he returned on the 3d to Edinburgh, accompanied by the Queen. On the following Sunday "the banns" were asked in St. Giles's Church. The minister, John Craig, refused at first to publish them; but Bothwell threatened to hang him, and he submitted under protest.[1] Maitland, who was still kept with the Court as a prisoner, sent private word to Drury that the marriage would certainly take place, and that he himself intended to escape at the first opportunity and join his friends.[2]

On the 6th Mary Stuart dared the indignation of Edinburgh by riding publicly through the streets with Bothwell at her bridle-rein. On the 7th, the last forms of the divorce were completed, and on the 8th, the Queen informed the world by proclamation that, moved by Bothwell's many virtues, she proposed to take him for her husband. The Court was still surrounded by a band of cut-throats. The Queen had 5000 crowns, besides her jewels. The gold font which Elizabeth presented at James's baptism was melted down at the Mint;[3] and thus provided with means of paying their wages at least for a time, she

[1] Robert Melville to Cecil, May 7: *MSS. Scotland.*

[2] Drury to Cecil, May 6: *Border MSS.*

[3] Grange to Bedford, May 8: *MSS. Scotland.* Drury to Cecil, May 31: *Border MSS.*

assured herself that she had nothing to fear. On the 12th, she appeared in the Court of Session; "Whereas the judges," she said, "had made some doubt to sit for the administration of justice, in consequence of her captivity; she desired them to understand that although she had been displeased at her capture, the Earl's subsequent good behaviour, the recollection of his past services, and the hope of further service from him in the future had induced her to forgive him. She was now free, and under no restraint. The business of the state could go forward as usual, and as a token of her favour she intended to promote the Earl to further honour."

The same day she created Bothwell Duke of Orkney, "the Queen placing the coronet on his head with her own hands." [1]

One distinct glimpse remains of this man now on the eve of his marriage, and before Mary Stuart's degradation was completed. Sir James Melville, since his release from Dunbar, had kept at a distance from the Court, not liking the Earl's neighbourhood. He came, however, once more to Holyrood to see his mistress before all was over. When he entered the hall he found the new-made Duke sitting at supper there with Huntly and some of the ladies of the Court. The Duke "bade him welcome," said he was a stranger, and told him to sit down and eat. "I said," writes Melville — he may relate the scene in his own words — "I said that I had supped already. Then he called for a cup of wine and drank to me, saying, 'You need grow fatter; the zeal of the Commonwealth hath eaten you up and made you lean.' Then he fell in discoursing with the gentlewomen, speaking

[1] Keith.

such filthy language that they and I left him and went up to the Queen." [1]

To make an end of this.

In the early daylight at four in the morning, on the 15th of May, Mary Stuart Queen of Scotland, Queen of France, and heir presumptive to the English Crown, became the wife of this the foulest ruffian among her subjects. Not a single nobleman was present; Huntly, Crawford, Fleming, Boyd, Herries, were all in Edinburgh, but they held resolutely aloof. Du Croc "came not," though earnestly entreated. The ceremony was performed in the Council Chamber, not in the chapel. Adam Bothwell, Bishop of Orkney, who called himself a Protestant, officiated; and hopeless of gaining the Catholics, the Earl expected idly that he might earn favour with the Reformers by bringing the Queen to dishonour openly the Catholic forms, and allow herself to be married with the Calvinist service. It was not without a pang that Mary Stuart made this last sacrifice to her passion, and broke the rules of a religion which no temptation hitherto had prevailed on her to part with. She was married "in her dool weed," in deep mourning, "the most changed woman in the face that in so little time without extremity of sickness had been seen." She heard mass that day for the last time, and thenceforth so long as they remained together both she and her husband were to be Protestants. In true Calvinistic fashion the Earl did public penance for his past iniquities. A sermon followed the marriage, in which the Bishop "did declare the penitence of the Earl Bothwell for his life past, confessing himself to have been an evil and wicked liver, which he would now amend, and conform himself to

[1] *Memoirs of Sir James Melville.*

the Church."[1] The passive Queen in all things submitted. His first act was to obtain a revocation from her of all licenses to use the Catholic services, and a declaration that for the future the Act of Religion of 1560, prohibiting the mass to every one, should be strictly maintained.[2]

It seems as if, the fatal step once taken, Mary Stuart's spirit failed her. More than once already in her sane intervals she had seen through the nature of the man for whom she was sacrificing herself. She had been stung by his coldness, or frightened at his indifference, which she struggled unsuccessfully to conceal from herself; and the proud woman had prostrated herself at his feet, in the agony of her passion, to plead for the continuance of his love.[3]

[1] Drury to Cecil, May 16: *Border MSS.* [2] Keith.

[3] How profoundly she was attached to Bothwell appears in the following letter — one of the two of which I have recovered her original words. It was written just before the marriage.

"Monsieur, — "Si l'ennuy de vostre absence, celuy de vostre oubli, la crainte du dangier tant promis dun chacun a vostre tant ayme personne peuvent me consoller, je vous en lesse a juger; veu le malheur que mon cruel sort et continuel malheur m'avoient promis, a la suite des infortunes et craintes, tant recentes que passes, de plus longue main, les quelles vous scaves. Mais pour tout cela je me vous accuserai ni de peu de souvenance, ni de peu de soigne, et moins encore de vostre promesse violee, ou de la froideur de vos lettres; m'estant ya tant randue vostre que ce qu'il vous plaist m'est agreable; et sont mes penses tant volonterement aux vostres asubjectes, que je veulx presupposer que tout ce que vient de vous procede non par aulcune des causes desusdictes, ains pour telles qui sont justes et raisonnables, et telles que je desire moymesme: qui est l'ordre que m'aves promis de prendre final pour la seurte et honorable service du seul soubtien de ma vie, pour qui seul je la veux conserver et sans lequel je ne desire que breve mort: or est pour vous tesmoigner combien humblement sous vos commandement je me soubmetz, je vous ay envoié en signe d'homage par Paris l'ornement du chief, conducteur des aultres membres, inferant que vous investant de la despoille luy qui est principal, le rest ne peult que vous estre subject; et avecques le consentement du cœur, an lieu du quil, puis que le vous ay ja lesse, je vous envoie un sepulcre de pierre dure, peinct du noir, seme de larmes et de ossements. La pierre je la compare a mon cueur qui comme luy est talle en un seur tombeau, ou receptacle de vos command-

She was jealous of his divorced wife, to whom she suspected that he was still attached, and he in turn was irritated at any trifling favour which she might show to others than himself.[1] On the day of her marriage she told Du Croc that she was so miserable that she only wished for death;[2] and two days after, in Bothwell's presence, she called for a dagger to kill herself.[3] Du Croc gave her poor consolation. He told

ments, et sur tout du vostre nom et memoire, que y sont enclos comme mes cheveulx en la bague, pour jamais n'en sortir que la mort ne vous permet faire trophée des mes os: comme la bague en est remplie, en signe que vous aves fayt entiere conqueste de moy de mon cueur, et jusque a vous en lesser les os pour memoir de vostre victoire et de mon agreable perte.

"Les larmes sont sans nombre, ainsi sont les craintes, de vous desplair; les pleurs de vostre absence et le desplaiser de ne pouvoir estre en effect exterieur vostre comme je suys sans faintyse de cueur et d'esprit: et a bon droit quand mes merites seront trop plus grands que de la plus perfayte que jamais feut, et telle que je desire estre: et mettray peine en condition de contrefair pour dignement estre employee soubs vostre domination. Resents la donc mon seul bien en aussi bonne part comme avecques extreme joie j'ay fait vostre mariage, qui jusque a celuy de nos corps en public ne sortira de mon sein, comme merque de tout ce que jay ou espere ni desire de felicite en ce monde. Or craignant mon cueur de vous ennuyer autant a lire que je me plaise descrir, je finiray, apres vous avoir baisé les mains d'aussi grande affection, que je prie Dieu o le seul soubtien de ma vie vous la donner longue et heureuse, et a moy vostre bonne grace comme le seul bien que je desire et a quoy je tends." — *MSS. Mary Queen of Scots*, Vol. II. No. 66, *Rolls House*.

[1] "There is often jars between the Queen and the Duke already. He was offended with her for the gift of a horse which was the King's to the Abbot of Arbroath" (Lord John Hamilton). — Drury to Cecil, May —, 1567: *Border MSS.* The anger about Arbroath may have been jealousy. "There is a witch in the North Land," Drury wrote on the 20th of May, "that affirms that the Queen shall have yet to come two husbands more; Arbroath shall be one of them, to succeed the Duke now, who she says shall not live half a year or a year at the most. The fifth husband she names not, but she says in his time she shall be burned, which death divers doth speak of to happen to her, and as yet it is said she fears the same."

[2] A very commonplace reason was given by Maitland for her unhappiness. "Bothwell," he said, "would not let her look at any one, or let any one look at her, et qu'il scavoit bien qu'elle aymoit son plaisir et a passer son temps aultant que autre du mond." — Du Croc to Catherine de Medici June 17: Teulet, Vol. II.

[3] Same to the same, May 18: Ibid. Sir James Melville, probably re-

her that her marriage was utterly inexcusable; if the Queen Mother had not forbidden him to leave his post he would not have remained in Edinburgh after it had taken place, and he refused to pay respect to Bothwell as her husband.[1] Yet her periods of wretchedness were but the intermittent cold fits in the fever of her passion. She had sacrificed herself soul and body, and he held her enthralled in the chains of her own burning affection.

In Scotland generally there was yet outward stillness. The Lords had threatened that if she married they would crown the Prince. It seemed as if they had thought better of it, for they dispersed to their homes; and the Queen, taking courage, sent a demand to the Earl of Mar for the surrender of Stirling and of the child. Elizabeth's uncertain answer had delayed the resolution to act; and Mar, not venturing to give a direct refusal, could only reply that "he dared not deliver the Prince out of his hands without consent of the Estates." The answer was allowed to pass. It was not Bothwell's object to precipitate a quarrel, and he continued to follow the course which he began at his marriage by paying court to the Protestants. He attended the daily sermons with edifying regularity, and was pointedly attentive to the ministers. Every day he rode out with the Queen, and was ostentatiously respectful in his manner to her. There were pretty struggles when he would persist in riding "unbonneted," and she would snatch his cap

ferring to the same scene, says, "The Queen meanwhile was so disdainfully handled and with such reproachful language, that in presence of Arthur Erskine, I heard her ask for a knife to stab herself; 'or else,' said she, 'I shall drown myself.'" — *Memoirs of Sir James Melville.*

[1] "Si est ce que jay parle bien hault . . . ni depuis ne l'ay point voullu recognoistre comme mary de la Reyne." — Teulet, Vol. II.

and force it on his head. "The hate of the people increased more and more," yet he would not see it; and though he went nowhere without a guard, yet he offered himself as a guest at the meals of the unwilling Edinburgh citizens. On the 25th of May, to amuse the people, there was a pageant at Leith, and a sham fight on the water was got up by Bothwell's followers. Everything was tried to dispel the strangeness, and make the marriage appear like any other ordinary event. The Bishop of Dunblane was sent to Paris, to pacify the Queen's friends there. He was to excuse her as having been forced into marrying Bothwell by what had happened at Dunbar; yet not so severely to blame him as to make him appear unfit to be her husband. It was but a limping message. She said in her instructions to the Bishop, that the Earl had been misled into violence by the vehemency of his love; that he had been a faithful servant in her past troubles; and, that persecuted as he was by calumny, she had no means of saving his life except by becoming his wife. Not very consistently with this argument, she said that all Scotland seemed to be at his devotion. Her people desired to see her married rather to a native Scot than to a stranger. Bothwell had shocked her in many ways; especially he ought to have considered what was due to her religion. Yet she did not wish that too much fault should be laid upon him. The past could not be recalled. He was her husband, and she trusted that other courts would accept him as such. It might be objected that he had been already married; but a legal divorce had been pronounced, and he was free before she became his wife.[1]

[1] Instructions to the Bishop of Dunblane: Keith

She could not conceal from herself the lameness of the explanation, but she hoped it would be admitted as tolerable; and she wrote at the same time to the Archbishop of Glasgow, begging him "to bestow his study in the ordering of the message, and in persuading those to whom it was directed to believe that it was the truth." [1]

Dunblane made but a poor apologist. He spoke of himself when he arrived as a fugitive for religion from a country where the Catholic faith would no longer be permitted to exist. The Archbishop of Glasgow did his best, with truth or without it. He ventured a falsehood to the Spanish Ambassador, assuring him that the report that she had forsaken her religion was incorrect, and that the day after her marriage a thousand persons had heard mass with her. Dunblane, however, let out the fatal certainty, and with it his own fears, that "unless God set to His hand, there would soon be no more mass in Scotland." [2]

The French Court received the apology with open and undisguised contempt. Mary Stuart was regarded as a lost woman, and their own policy was now to anticipate England in supporting the Lords, to get the Prince into their hands, and recover thus the influence which they had lost. "The Queen Mother," wrote

[1] Mary Stuart to the Archbishop of Glasgow, May 27: Labanoff, Vol. II.

[2] "Dixó me el dicho embajador (the Archbishop of Glasgow, ambassador at Paris) que el dia siguiente del matrimonio de su ama, fué publicamente á la missa, y que hubó mill personas en ella. Dice el obispo (de Dunblane) que es burla, y verdad que el proprio dia que se casó, oyó missa, y de la capilla donde la oyó fué á una sala grande donde se hizó el matrimonio por mano de uno obispo el mayor herege que ay en aquel reyno; y que toda la cerimonia fué á la Calvinista: y ninguno de los dias despues del matrimonio sabe que se haya dicho en su casa, y que algunos particulares la hacen decir en sus casas secretamente, pero que esto se acabará presto si Dios no pone su mano." — Don Frances de Alava á Felipe II. Junio 16: Teulet, Vol V.

Sir H. Norris,[1] "is minded all she can to make profit of this cruel murder, and to renew the old practices there with as many as shall be able to serve her turn."[2]

"Your Majesty," said Du Croc to his mistress, "may show yourself as displeased as you will with this marriage. It is a bad business. For myself, I had better withdraw, and leave the Lords to play their game for themselves."[3]

It was not to be long in playing. The first week in June, Argyle, Morton, Athol, Glencairn, the Master of Graham, Hume, Herries, Lindsay, Tullibardine, Grange, and many other noblemen and gentlemen, rejoined Mar at Stirling. Maitland stole away to them from the Court without leavetaking. Catholic and Protestant for once were going heartily together.

Their first thought was to make a stoop on Holyrood, surround the palace, and take Bothwell prisoner. Argyle, who was himself too deeply committed in the murder to appear in the field, sent warning to the Queen; and the Duke, seeing plainly that the crisis was come, and that he must fight or perish, determined to be the first in the field. Money was again wanting. Mary Stuart had not disposed of her jewels, and the guard was mutinous and untrustworthy. Bothwell's chief strength lay among the borderers. He sent word to his friends to collect at Melrose on the 7th of June; and dropping the Queen at Borthwick Castle on his way, hastened down, with as many of his men as would follow him, to place himself at their head.

[1] The English Minister at Paris.

[2] Sir H. Norris to Sir N. Throgmorton, May 23: *Conway MSS. Rolls House.*

[3] Du Croc to Catherine de Medici, May 18: Teulet, Vol. II.

He was out of favour with fortune, however. Maxwell, Herries, and Lord Hume prevented the borderers from moving, and on reaching the rendezvous he found no one there. He returned upon his steps, rejoined the Queen, and sent to Huntly, the Archbishop of Saint Andrew's, and Sir James Balfour, who were in Edinburgh Castle, to come to him with all the force which they could raise. The Lords themselves, meanwhile, on hearing of the Queen's departure had come to Edinburgh. Bothwell's messenger was intercepted by a band of Morton's followers; and Morton, learning where Bothwell was, attempted to surprise him. Hume, Lindsay, and Mar joined the party, and on the night of the 10th (Tuesday) they galloped down to Borthwick and surrounded the castle in the darkness. Some of them, professing to represent the succours expected from Edinburgh, presented themselves at the gate; they said that they were pursued, and clamoured for admittance. The Duke at the moment was stepping into bed. He flung on his clothes, on hearing the noise, and reached the courtyard barely in time to discover the mistake and prevent the stratagem from being successful. But the castle was unfurnished and could not long be defended. He knew that if he was taken he would be instantly killed, that his dangerous secrets might die with him; and accompanied only by a son of Lord Cranston, he slipped out by a postern among the trees. The fugitives were seen and chased, and they separated to distract their pursuers, who unluckily followed and caught the wrong man. Bothwell was not an arrow-shot distant; and young Cranston in his terror pointed to the way which he had taken, but he was not

June.

believed. The Duke escaped to Haddington, and thence to Dunbar.

The Lords, not knowing at first that he was gone, were shouting under the windows — "calling him traitor, murderer, butcher," "bidding him come out and maintain his challenge." The Queen too was not spared, and foul taunts were flung at her, which she, desperate now and like a wild cat at bay, returned in kind.[1] When they learned that Bothwell had escaped, they drew off, leaving the Queen to dispose of herself as she pleased, and returned to Edinburgh. They arrived at eight in the morning. The castle party had shut the gates, but Lindsay scaled the wall without meeting any resistance, and the Lords then entering in a body repaired to the marketplace, and declared publicly that they had risen in arms "to pursue their revenge for the death of the King." Du Croc, anxious to prevent bloodshed, went to the castle to consult Huntly, and by Huntly's advice sent to Mary to offer to mediate. She replied that he might do what he could, but if the Lords intended to injure her husband she would make no terms with them.[2]

Thus events were left to their course, and as the mountain heather when kindled in the dry spring weather blazes in the wind, and the flame spreads and spreads till all the horizon is ringed with fire, so at the

[1] "With divers undutiful and unseemly speeches used against their Queen and Sovereign, too evil and unseemly to be told, which, poor Princess, she did with her speech defend, wanting other means in her revenge." — Drury to Cecil, June 12. These words were crossed out in the MS. and made illegible, though from the fading of the second ink they can now again be read. The letter perhaps had to be shown to Elizabeth, and Cecil may have feared to let her see what might exasperate her too much against the Lords.

[2] "Mais s'ilz ataquoient à son mari qu'elle ne vouloit poinct d'appointment." — Du Croc to Charles IX., June 12: Teulet, Vol. II.

proclamation of the Lords the hearts of the Scotch people flashed up in universal conflagration. The murdered Darnley was elevated into a saint and endowed with all imaginary virtues;[1] and in flying

[1] The feeling of the Scottish people at this crisis is singularly and powerfully expressed in the following ballad, which was printed on broad sheets and scattered about Edinburgh.

A Ballad.

To Edinburgh about six hours at morn,
As I was passing *pansand* out the way,
Ane bonny boy was sore making his moan;
His sorry song was Oche and wallaway

That ever I should lyve to see that day,
Ane King at eve with sceptre, sword and crown;
At morn but a deformed lump of clay,
With traitors strong so cruelly put down!

Then drew I near some tidings for to speir,
And said, My friend, what makis thee sa way;
Bloody Bothwell hath brought our King to beir
And flatter and fraud with double Dalilay.

At ten houris on Sunday late at een
When Dalila and Bothwell bade good night,
Off her finger false she threw ane ring,
And said, My Lord, ane token you I plight.

She did depart then with an untrue train,
And then in haste an culverin they let craik,
To teach their feiris to know the appoint time
About the Kinge's lodging for to clap.

To dance that night they said she should not slack,
With leggis lycht to hald the wedow walkan;
And baid fra bed until she heard the crack,
Whilk was a sign that her good Lord was slain.

O ye that to our kirk have done subscryve,
These Achans try alsweill traist I may,
If ye do not the time will come belyve,
That God to you will raise some Josuay;

Whilk shall your bairnis gar sing wallaway,
And ye your selvis be put down with shame;

broadsheets of verse, every Scot who could wield blade, couch lance, or draw trigger, was invited to take part in the revenge.

A message came up from Berwick that if there was

Remember on the awesome latter day,
When ye reward shall receive for your blame.

I ken right well ye knaw your duty,
Gif ye do not purge you ane and all,
Then shall I write in pretty poetry,
In Latin laid in style rhetorical;

Which through all Europe shall ring like ane bell,
In the contempt of your malignity.
Fye, flee fra Clytemnestra fell,
For she was never like Penelope.

With Clytemnestra I do not fane to fletch
Who slew her spouse the great Agamemnon;
Or with any that Ninus' wife does match,
Semiramis quha brought her gude Lord down.

Quha do abstain fra litigation,
Or from his paper hald aback the pen?
Except he hate our Scottish nation,
Or then stand up and traitors deeds commend?

Now all the woes that Ovid in Ibin,
Into his pretty little book did write,
And many mo be to our Scottish Queen,
For she the cause is of my doleful dyte.

Sa mot her heart be fillet full of syte,
As Herois was for Leander's death;
Herself to slay for woe who thought delyte,
For Henry's sake to like our Queen was laith.

The dolour als that pierced Dido's heart,
When King Enee from Carthage took the flight;
For the which cause unto a brand she start,
And slew herself, which was a sorry sight.

Sa might she die as did Creusa bright,
The worthy wife of douty Duke Jason;
Wha brint was in ane garment wrought by slight
Of Medea through incantation.

to be a civil war, the Lords had better send the Prince to England for security. It was a poor dishonest overture, and at the moment and in their present humour they had no leisure for such small intrigues. They had taken in hand an unexampled enterprise, and till the work was done they would not let their minds be called away from it.

On Wednesday night, the 11th, Mary Stuart herself stole away, disguised as a man, from Borthwick. Bothwell met her on the road and brought her to Dunbar, where she arrived at three in the morning. There, without wardrobe, without attendants save the Duke's troopers, she borrowed a dress from some woman about

Her laughter light be like to true Thisbe,
When Pyramus she found dead at the well,
In languor like unto Penelope,
For Ulysses who long at Troy did dwell.

Her dolesome death be worse than Jezebel,
Whom through an window surely men did thraw;
Whose blood did lap the cruel hundys fell,
And doggis could her wicked bainis gnaw.

Were I an hound — oh! if she were an hare,
And I an cat, and she a little mouse,
And she a bairn, and I a wild wod bear,
I an ferret, and she Cuniculus.

To her I shall be aye contrarius —
When to me Atropos cut the fatal thread,
And fell deithis dartys dolorous,
Then shall our spirits be at mortal feid.

My spirit her spirit shall douke in Phlegethon,
Into that painful filthy flood of hell,
And then in Styx and Lethe baith anone —
And Cerberus that cruel hound sa fell

Shall gar her cry with mony gout and yell,
O wallaway that ever she was born,
Or with treason by ony manner mell,
Whilk from all bliss should cause her be forlorn.

the place. The Captain of Inchkeith, a Frenchman in Bothwell's pay, who came in at his master's summons, found the Queen of Scotland in a short jacket with a red petticoat which scarcely reached below her knees,[1] the royal dignity laid aside with the royal costume — but once more herself in her own free fierce nature, full of fire and fury. As before when she had fled to the same Dunbar after Ritzio's murder, she seemed to need no rest. Her one thought was to rally every man from every corner of the country who would rise in her cause. The hackbutters were got together, two hundred of them, some light field-pieces, and a few score of horse. Bothwell went off towards the Border again, where his own people were at last gathering to join him; and not caring to be cooped up in Dunbar, the Queen dared her fate and resolved to advance against the Confederate Lords. On Thursday morning she had reached Dunbar — on Saturday she moved out of it at the head of some six hundred men, who in one way or another she had scraped together. Bothwell joined her at Haddington with sixteen hundred more, and together they went on to Seton. There, in that spot, full to her of evil memories, they passed the night. The next day they meant to be in Edinburgh, where they hoped to find the castle still held for them by Sir James Balfour.

Hearing that the Queen was coming, the Lords made up their minds for the struggle. The same Saturday before midnight the trumpets sounded to horse. By two o'clock on the Sunday

June 15.

[1] "Estant adverti je partis de ceste ville pour les aller trouver à Donbar, ou elle estoit abillée d'une cotte rouge qui ne luy venoyt que à demie de la jambe, et avoit emprunté ung tounriche (*sic*) avec un tafetaz pardessus." Teulet Vol. II. p. 303. The acount in Calderwood says merely "a short petticoat little syder than her knees." Vol. II. p. 364.

morning their little army was on the road to Musselburgh — two thousand men more or less — about as many as were with the Queen and Bothwell. The dawn was clear and cloudless, the still opening of a hot June day, as they wound along the valley under Arthur's Seat. Their banner was spread between two spears. The figure of a dead man was wrought upon it lying under a tree; a shirt lay on the ground, a broken branch, and a child on its knees at its side, stretching its hands to heaven and crying, "Judge and revenge my cause, Oh Lord."

So in the grey light they swept on; at five they were at the old bridge at Musselburgh, and there halted to breakfast. Du Croc, in the absence of positive instructions, could not commit himself by accompanying them, but he followed at a distance, and while they were waiting came up and again volunteered to mediate. Whatever had been their Sovereign's faults, he said, they were bound to remember that she *was* their Sovereign. As they had not accepted his previous overtures he could not answer what the Court of France might do, and victory might be as embarrassing to them as defeat.

Had the Lords shown any resolute intentions of throwing themselves upon France, his language would doubtless have been very different; but they had seen in both France and England a mean desire to make political advantage out of their difficulties, and with serious business in hand they did not choose to be trifled with.

They replied coldly that there were but two modes by which bloodshed could be avoided. If the Queen would abandon the wretch whom she called her husband, they were ready to return to their allegiance.

If Bothwell would maintain his own challenge, either alone, or with as many seconds as he pleased, they would produce on their side an equal number, who were ready to fight in the quarrel.

Du Croc, apparently conscious that neither of these alternatives would be accepted, asked if there was no third expedient. They said that they could think of nothing else. They would rather be buried alive than leave the King's murder unexamined into and unpunished. The God of Heaven would revenge it upon them if they sate still.

Du Croc asked to be allowed to go forward to the Queen. They were most unwilling to consent. They knew not what he might say or do. He promised that if he failed to persuade her to make some concessions he would not remain with her. They still hesitated, but at last Maitland interposed and they yielded. They gave him a few horse for an escort, and bade him go to the Queen or go where he would.

Mary Stuart, on the news that the Lords were advancing, had been early in the field at Seton. Her pennons could be seen from beyond the bridge, two miles distant on the brow of the hills towards Preston Pans, on the ground on which the English army had slept twenty years before, the eve of the battle of Pinkie Cleugh. Du Croc was led into her presence. She was sitting on a stone in the dress which she had borrowed at Dunbar. He told her how it would grieve the King of France and the Queen Mother to hear the issue at which she had arrived with her subjects. He told her what the Lords had said, and implored her to consider what she was doing.

She said fiercely that the Lords were going against their own plighted word. They had themselves ac-

quitted the Earl of the crime of which they now accused him. They had themselves recommended her to marry him. They should submit and sue for mercy, and she would then receive them back into her favour.

While she was speaking Bothwell came up with his suite. Du Croc saluted him distantly, but declined to take his hand.[1] He demanded in a loud voice, that all who were standing round might hear, whether it was against himself that the Lords' enmity was directed

Du Croc replied in the same high tone, that the Lords had assured him of their loyalty to the Queen; and he added, dropping his voice, "of their mortal enmity to his Lordship."

Again Bothwell asked what hurt he had done to them — they envied his elevation — but fortune was a friend to all who had the spirit to accept her favours — and there was not one of them who would not gladly be in his place. But he desired no bloodshed, he said, and since things were come to that pass, if the Lords would produce a champion of sufficient rank, he would waive his own privileges as the Queen's consort, and would meet him in the field; his cause was good, and God would be on his side.

Mary Stuart, fuming and chafing, here broke in. "The quarrel was hers," she cried. "The Lords should yield, or try their chances in a battle."

"Then there is no need for further parley," said Bothwell; and your Excellency may, if you please, be like the envoy who tried to mediate between Scipio and Hannibal. He could do nothing, and stood aside, and so witnessed the most splendid spectacle in the world."

1 "Nous nous saluasmes, mais je ne me presentay point pour l'embrasser." Du Croc to Charles IX.: Teulet, Vol. II.

Du Croc, in his account of the scene, credited Bothwell with bearing himself like a man, and with displaying fine qualities as a commander. He thought that if his followers were true to him, he might, after all, come out victorious. Not a single nobleman was on his side; but he rather gained than lost by their absence, because he commanded alone. Tears rose into Mary Stuart's eyes as Du Croc took leave of her. He rode back to the Lords, and told them that she insisted on their laying down their arms. They said it was impossible; and he withdrew from the field.

The two parties were by this time close together. The Confederate force, after crossing the river, had edged along the meadows towards Dalkeith, on the eastern bank, before turning to the hills, and then sweeping round, they took up a position on the ridge of Cowsland, with the sun upon their backs. In front of them was a hollow, "two or three crossbow shots across," and on the opposite side, the Queen's lines, covering the slopes and crest of the present park at Carberry.[1]

Here, from eleven o'clock till two, the armies remained confronting each other; each side being unwilling to lose the advantage of the ground, and descend to the attack. The day was intensely hot. Bothwell's men showed no anxiety to fight; and some wine casks having followed them from Seton, as the day wore on, they began to fall into the rear to drink.[2] They were ordered back to their ranks; but they paid no attention; and at last not more than three or four

[1] "L'aultre cousté voyant que nous avions l'advantaige de cest endroit, ilz marchent et gaignent une autre mont à deux ou trois jects d'arballatre l'ung de l'aultre." — *Narrative of the Captain of Inchkeith:* Teulet, Vol. II. p. 305. This precise description renders the spot easy to be identified.

[2] Ibid.

hundred men remained about the Queen. The humour of the men was evidently cold. There was a general feeling that the quarrel was personal; that if the Duke was willing to fight it out alone, there was no reason why he should not be allowed to do so; and at last two French gentlemen went across to learn whether the Lords would still abide by their proposal.

Tullibardine, who had before taken up the challenge which Bothwell pinned against the Tolbooth door, instantly stepped forward. The Duke made no difficulty; but the Queen, cowardly for him, though for herself incapable of fear, found an excuse in Tullibardine's rank. "He was too mean a man," she said, "to fight her husband."

Bothwell, villain as he was, would not show the white feather in the field, and in the Queen's presence: "Let Morton meet him then," he said.

Morton desired nothing better. Morton better than any one knew Bothwell's guilt; for Bothwell had tried to make him a partner of it. But Lord Lindsay, clear himself of any stain of faint complicity in the crime, claimed precedence as a nearer kinsman of the dead King. Morton gave place. Lindsay stepped out before the lines, "prayed, on his knees, that God would preserve the innocent, and punish those who had shed innocent blood," and then stripped off his armour. Morton gave him the huge double-handed sword of Angus Bell-the-Cat; while Bothwell implored Mary Stuart to consent that he should undertake the combat.

She, torn with a thousand feelings, hate and rage, and terror for her husband's safety, agreed, and again refused, and then cried passionately to the group who were round her, that "if they were men they would

go down all upon the traitors, and sweep them from the hill-side." [1]

But her wild words fell powerless. In the long delay, the two parties had intermixed, and conversed freely. The merits of the quarrel were too well understood. The order was given for an advance in the Queen's army, but not a man stirred; and she was forced to feel that her case was desperate. Finding Bothwell did not come forward, two hundred Confederate horse, led by Kirkaldy of Grange, crossed the hollow to the right, as if to cut off his retreat. Still thinking only of Bothwell's safety, she sent a message, with a white flag, to desire Grange to come to her.

He approached and knelt at her feet. She asked, passionately, if it was impossible for the Lords to be reconciled to her husband. Grange answered, that the Lords were irrevocably determined to take him or die. But glad enough as they would be to kill Bothwell, she knew well that there were some of them to whom as a prisoner he would be dangerously inconvenient; she induced Grange to go again to consult his friends; and he returned presently, with a message, that if the Queen would leave the Earl, and return with them to Edinburgh, she would be well treated, and the Duke might go where he pleased; but she must come to an immediate resolution, or it would be too late, as the evening was growing on.

The Lords were seen mounting their horses; the men astir, and preparing to cross the hollow. The

[1] The Bishop of Ross, in his *Defence of Queen Mary's Honour*, says that she prevented an engagement from a desire to spare her subjects Nothing can be more untrue. The Captain of Inchkeith says distinctly "Elle ne desiroit autre chose que de les faire combattre, et persuada Monsieur le Duc plusieurs fois a ce faire et se advancer." — Teulet, Vol. II. p. 306.

Queen's force had been all day melting away, and was now reduced to a handful of the Duke's personal followers. Even escape, except with the permission of their enemies, was become impossible; and with a bitter wrench of disappointment, the Queen saw that so it must be. There was nothing left but to bid him farewell. He bade her remember her promise to be true to him. She wrung his hand, and with a long passionate kiss they parted. Bothwell sprang upon his horse, and galloped off with his servants unpursued. The Queen, turning to Grange, said she was ready to go with him; and scornful, proud, defiant as ever, she allowed him to conduct her into the lines of the Confederate noblemen.

She was received by Morton and Hume with the usual signs of homage. She required them to take her to the Hamiltons, who were believed to be in force in the neighbourhood. Morton said briefly it could not be. He told her that she was now in her proper place, among her true and faithful subjects. She felt that she was a prisoner, and that the net had closed about her. The first faint tokens of respect which had been paid to her soon disappeared. As she passed between the ranks, a long fierce cry rose out of the crowd, "Burn the whore!" "Burn the murderess of her husband!"[1] The Queen shuddered at the horrible sound;[2] Grange and others rode up and down, striking at the speakers with the flat of their swords to silence them; but it was to no purpose; the pent-up passion of a whole people was bursting out. As she

1 *Narrative* in Calderwood.

2 "After her coming in to the Lords upon Sunday in the field, the Earl of Athol's company, with the Lord of Tullibardine's and others who were of the North parts, with one voice cried in her hearing 'Burn the whore!' which much amazed and grieved her, and bred her tears amain." —Drury to Cecil, June 20: *Border MSS.*

was borne along, the banner, with Darnley's body on it, was flaunted before her eyes. She had touched no food since the night before, "and could scarce be held upon her saddle for grief and faintness;" but like some fierce animal brought to bay and in the clutch of the hounds, she still fought and struggled. "I expected," wrote Du Croc, "that the Queen would have been gentle with the Lords, and have tried to pacify them; but on her way from the field she talked of nothing but hanging and crucifying them all." [1] They protested that their intention had been only to punish Bothwell for his crimes. She said they should never do it while she lived.[2] Lindsay was the special object of her fury. "Give me your hand, my lord," she said to him, as he rode beside her. "By this hand," she swore, as he gave it, "by this hand, which is now in mine, I will have your head for this, and thereof assure you." [3] She lingered on the road wherever she could, looking for the Hamiltons to rescue her; and the long June evening was growing dark as they brought her at last into Edinburgh. She was in the same wild costume, but "her face was now disfigured with dust and tears." The crowd was so dense in the streets, that they could but move at a foot's pace in single file; and from all that close-packed throng, and from every stair and window, there rained only yells, and curses, and maledictions. Through it all she was forced along, the road leading her past Kirk-a-Field, which still lay charred in ruins. A lodging had been prepared for her at the Provost's house, at the corner of the Grassmarket. Supper was on the table; but she was one of those high-blooded people whose bodies

[1] Du Croc to Catherine de Medici, June 17: Teulet, Vol. II p. 310.
[2] Sir John Foster to Elizabeth, June 20: *Border MSS.*
[3] Drury to Cecil, June 18: *MS.* Ibid.

do not ask attention when the soul is sick. She desired to be taken to her room instantly; but even privacy was at first denied her. The shrieking mob crowded on the stairs, and forced themselves into her very presence, till Maitland, whom she saw under the window, and called to help her, came up, and drove them out. To Maitland she could speak as to one who had but lately owed his life to her. When they were alone, she asked him, in agony, why they had torn her from her husband, with whom she had looked to live and die?[1] He told her, that they were doing her no injury, they were consulting only both her honour and her interest. "She did not know the Duke," he said. "Since her pretended marriage with him, he had, again and again, assured Lady Bothwell that she only was his wife, and that the Queen was his concubine;" he said he could show her Bothwell's own letter which contained the words. But nothing which he could say produced the least effect;[2] the only desire of the Lords, at this time, was to wake her from her dream and induce her to sacrifice the wretch to whom she had attached her fortunes; she herself, with a devotion which their joint crimes could not deprive of beauty, told Maitland, at last, that she would be content to be turned adrift with Bothwell in a boat upon the ocean, to go where the fates might carry them.[3]

[1] "Avec le quel elle pensoit vivre et mourir avec le plus grand contentment du monde." — Du Croc to Catherine de Medici, June 17: Teulet, Vol. II.

[2] De Silva was even informed that the Duke after his marriage spent several days in each week with the wife that he had divorced. "Avisan que el Bothwell todavia estaba algunos dias de la semana con la muger con que habia hecho el divorcio." — De Silva al Roy, Junio 21: *MS. Simancas.* De Silva had his own Catholic correspondent in Scotland, and his words therefore have an independent value.

[3] "La fin de leurs propos fut que estant reduicte en l'extremité ou elle estoit elle ne demandoit sinon qu'ilz les missent tous deux dans un navire pour les envoyer là ou la fortune les conduiroit." — Ibid.

Maitland, when he left the Queen, had a conversation with Du Croc, in which he seemed to think that if she would not give up Bothwell, this was the best course to be pursued with her. She might go where she would, he said, provided it was not to France. Du Croc replied that if she went to France, the King would judge her deeds as they deserved, for the unhappy truth was but too surely proved.[1] The Ambassador would have been well pleased had the Queen, Bothwell, and Prince been sent to France, all three of them; the Queen to be shut up in a convent, Bothwell to be hanged, and the Prince to be educated in French sympathies. He told Maitland they would find it harder to keep the Queen than to take her. If they called in the English to assist them, the King of France would indisputably take the Queen's part. Maitland could only reply that so far they had had no intelligence with any foreign Power at all. They desired only to be left to themselves, and they could settle their own quarrels. If his master interfered, then indeed they would be driven back upon England, but they would far rather see both the Prince and the realm under the open protection of France.

France, replied Du Croc, would scarcely take part avowedly against the Queen, but France would leave them to do as they pleased, provided the English were not allowed to meddle.[2]

Du Croc knew as well as Maitland that for dethroned princes there is but one safe prison, and these words might easily have been Mary Stuart's death-warrant. Had it been so, she would have fallen in

[1] "Je luy dictz au contraire que je vouldrois qu'ilz y fussent et le Roy en jugeroit comme le faict le merite car les maleureux faicts sont trop prouvés." — Du Croc to Catherine de Medici, June 17: Teulet, Vol. II.

[2] Ibid.

the midst of her faults with a perverted heroism which would have gone far to make the world forgive them. "During all these scenes," said the Captain of Inchkeith, "I never saw man more hearty and courageous than the Queen. She desired nothing so much as to fight out her quarrel in fair battle with the Lords.[1] Left alone to brood over Maitland's story, the poor creature wrote a few passionate words of affection to Bothwell which she bribed a boy to carry to Dunbar. The boy took the money, and carried the note to the Lords. As day broke, in a fresh spasm of fury, she flung open the window, and with hair all loose and bosom open, she shrieked for some friend to come and set her free. In answer, the banner was again dangled before her, and hung where she could not look out without encountering its terrible design. She could touch no food. It was said that she had made a vow to eat nothing till she was again with the Duke. A woman who saw her at the window flung some bitter taunts at her. She turned venomously, "threatened to cause burn the town, and slocken the fire with the blood of its inhabitants."[2] Thus beating against the bars of her cage, she passed the weary hours. While she continued in such a humour what was to be done with her? The letter to Bothwell added fuel to the already excited passions of the Lords. In meddling with sovereigns fear is ever mixed with considerations of policy; to rise in arms against the prince, if it fails, is death; and there

June 16.

[1] "Je ne veult point oublier que durant toutes les menées par cydevant mentionnées je ne veis jamais homme de plus grand cueur et de plus grand courage pour mettre une entreprise a execution de bataille que la Reyne de sa part: car j'estime que son principal but estoit pour donner la bataille aux seigneurs dessus nommez." — *Recit des Evenements:* Teulet, Vol. II.

[2] Calderwood.

was usually but a short shrift for such dangerous prisoners. Once before she had slipped through the Lords' hands. They could not risk such a misadventure a second time, and though safe on the side of France, they knew not what to look for from Elizabeth.

Once more they entreated her to abandon Bothwell. But "she would agree to nothing whereby the Duke should be in danger;" [1] and in a council which was held on Monday, voices were already raised to make a swift end with her. She had committed crimes, it was said, for which a common woman would have deserved to die; if, because she was their sovereign, it was unlawful to execute her, it was unlawful also to keep her a prisoner; so long as she lived there would forever be conspiracies to set her at liberty, and "it stood them on their lands and lives to make her safe." [2]

Morton, to his credit, interfered, at least to protract the catastrophe, till they had made a further effort to tame her spirit. Some one prophetically said, that "as Morton was a stayer of justice, he should feel the justice of God strike him with the sword;" but his own conscience was not so clear in the business of the murder that he could allow the whole weight of it to be visited on the Queen.

It was necessary, however, to determine upon something, for the people were becoming fast uncontrollable. The Laird of Blackadder, one of Bothwell's officers, was brought into Edinburgh in the morning. He had been taken at sea, in attempting to escape from Dunbar. Report said that he was one of the murderers; and as he was dragged through the street, the

[1] Note of occurrents in Scotland, June 24: *MSS. Scotland, Rolls House.*
[2] Calderwood.

mob rushed at him with knives and stones, and it was with the greatest difficulty that he was brought alive into the gaol.[1] If the Queen remained in the town, the house might be broken into, and she might be torn in pieces. At Kinross, on the borders of Fife, in the most Protestant district of Scotland, far away from Gordons or Hamiltons, or Catholic Highlanders, lay the waters of Lochleven, made immortal in Scottish history by the events of the few next months. Towards the middle of the lake, half a mile from the shore, was an island about an acre in extent, on which a castle stood belonging to Sir William Douglas, half-brother to the Earl of Murray. Here, under the charge of the Lady of Lochleven, once the mistress of her father, the Lords determined to immure their Sovereign till they could resolve at leisure on her fate. When informed of their intention, Mary Stuart fiercely charged them with treachery. She had placed herself in their hands, she said, under promise of fair treatment, and they were breaking their plighted word. It was coldly answered that she too had promised to separate herself from Bothwell, and on the past night she had assured him of her unfailing affection. She must submit to be restrained till she could be brought to some better mind.

It was unsafe to remove her by daylight. Blackadder had swift justice or swift injustice. He was tried, sentenced, executed, and quartered, all in a few hours, protesting his innocence to the last; but the citizens were in no humour to discriminate. After dark, on Monday evening, the Queen was taken down to Holyrood. The streets were full as ever, and a guard of 300 men was barely sufficient to keep off the howl-

[1] Drury to Cecil, June 20: *Border MSS.*

ing people. She went on foot between Athol and Morton, amidst weltering cries of "Burn her! burn her! she is not worthy to live. Kill her! drown her!"[1] Could the mob have reached her, she would have been sent swiftly with a stone about her neck into the Nor Loch. The palace was not safe, even for the night. In an hour or two she was carried on to Leith, and thence across the water to Burnt Island; a rapid ride of twenty miles brought her thence to the island fastness, where early on Tuesday (so swiftly the work was designed and executed), the Queen of Scotland was left to rest and to collect her senses.

June 17.

Having thus secured their prisoner, the Confederate noblemen drew up in form a defence of their proceedings. The composition of it showed more regard for the Queen's honour than for the completeness of their own justification: they brought no charge against her of any worse crime than infatuated love for a bad man. As yet they had evidently formed no intention of pushing matters to extremity, and meant rather to leave the road still open for her to extricate herself.

The late king, they said, having been shamefully murdered, "the fame thereof was in six weeks dispersed in all realms and among all Christian nations; Scotland was abhorred and vilipended; the nobility and whole people no otherwise esteemed but as if they had been all participant of so unworthy and horrible a crime." "None of the Scottish nation, though he was never so innocent, was able for shame in any foreign country to shew his face." There had been "no man-

[1] Drury to Cecil, June 20: *Border MSS. Narrative of the Captain of Inchkeith*: Teulet, Vol. II.

ner of just trial." There was no prospect of any just trial. The murderers could not be arrested, because the chief of them "made the stay." The Earl Bothwell had appeared at the bar, but he came there "accompanied with a great power of waged men of war, that none should compeer to pursue him." The murder was committed, and justice was smothered and plainly abused.

"Adding mischief to mischief, the Earl Bothwell had beset her Majesty's way, took and ravished her most noble person, and kept her prisoner at Dunbar, while sentence of divorce was pronounced between him and his lawful wife, grounded upon the cause of his own turpitude." He had thus pretended to marry her Majesty; her faithful subjects were allowed no access to her; "her chamber door was continually watched by men of war;" and the noblemen, though too late, began to consider her Highness's shameful thraldom, and the danger of the fatherless Prince; his father's murderer and his mother's ravisher being clad with the principal strength of the realm, and garnished with a guard of mercenaries.

To deliver their sovereign from ignominy, to preserve the Prince, and to see justice ministered, they had taken arms; and they bound themselves never to leave their enterprise till the King's murderers had been executed, the wicked marriage dissolved, their sovereign released from her thraldom, and the Prince placed in safety.

"The which to do and faithfully perform," they then and there bound themselves, "as they would answer to Almighty God upon their honour, truth, and fidelity — as they were noblemen and loved the honour of their native country; — wherein if they failed

in any point they were content to sustain the spot of perjury, infamy, and perpetual untruth, and to be accounted culpable of the above-named crimes, and enemies and betrayers of their native country forever." [1]

[1] Band of the Lords, June 16. Printed in Keith.

CHAPTER XIV.

The ex-Queen of France, the sister-in-law of the King, the niece of the Cardinal of Lorraine, might naturally have looked for support to the country which had so long been her home. The Queen of England might have been expected to regard her misfortunes with indifference if not with satisfaction. Whatever might have been their personal feelings, both Charles and Catherine on one side, and Elizabeth on the other, were determined in the course which they pursued by public considerations alone. From France Mary Stuart found the most settled disregard; from Elizabeth, immediate and active friendliness.

As soon as it was known in Paris that the Lords had taken arms against the Queen, the first thought, as Du Croc anticipated, was of the effect which the insurrection might produce, or of the use to which it might be turned, in renewing the old relations between France and Scotland. The Queen's cause, even before her capture at Carberry had been heard of, was obviously regarded as hopeless. Catherine de Medici was only afraid that Elizabeth would use the opportunity to weave a new strand in the Anglo-Scotch Alliance, and determined to be beforehand with her. Without waiting to see how far her alarms would be verified, she sent for the Earl of Murray, who was then in Paris, to persuade or bribe him into consenting that the Prince should be sent over to her; while M.

de Villeroy was despatched to Scotland to come to an understanding with the Confederate Lords. The Queen Mother explained her views to De Villeroy himself with the utmost distinctness, and she left him free to take such measures in connection with Du Croc as should seem most expedient upon the spot.

She was very sorry for the Queen of Scots, Catherine said, and would gladly have been of use to her had it been possible; but the interests of France were first to be thought of. The Queen of Scots was herself the cause of all her misfortunes, and, as God was just, it was likely enough that the Lords would bring the enterprise which they had taken in hand to some result which the world would not be able to find severe fault with.[1] The English, in pursuit of their own purposes, would undoubtedly support them, if they were not already encouraging them underhand. It was essential to supersede the English: it was essential to France to preserve the attachment of the Scotch people; and that attachment could not and would not be preserved if the Lords supposed that France intended to interfere with them. The Lords must be assured that the Most Christian King would stand by them in promoting anything which would be to the advantage of the realm. The King wished well to the Queen, but he did not mean to thwart them in her behalf when they were but doing what was reasonable and just. He hoped only that without violating these principles, some means might be found of reconciling his sister-in-law with her subjects.[2]

In the commission of De Villeroy Catherine thus

[1] "Et qu'il pourroit estre, comme Dieu est juste, que leurdict entreprise viendroit a quelque effect dont le fondement ne seroit pas blasmé ne improuvé de tout le monde." — *Mémoire pour M. le Villeroy*: Teulet, Vol. II.

[2] Ibid.

accepted the exact position of the Confederate Lords themselves. The most unprincipled woman in Europe, except perhaps the Queen of Scots herself, confessed to a consciousness that in certain cases God insisted that justice should be done; that it was useless to fight against him; and that it was therefore most prudent to take the same side of the question.

Elizabeth saw differently both her interests and her obligations. Elizabeth, though she had given many provocations to the Catholic Powers, had as yet but little reason to complain of their conduct to herself. Her ministers, acting in her name and not without her sanction, had supported the Huguenots in France with arms and money, and had fomented the growing disquiet in the Low Countries; but the Protestant propagandism of Cecil had always been personally distasteful to half the Council, and in reluctantly acquiescing in his policy the Queen had defended herself behind political reasons which had a real existence, and which both France and Spain had not refused to recognise. The retaliatory schemes for a Catholic insurrection in England and Ireland had been so far uniformly discountenanced by Philip II. He had arrested the anathemas of successive Popes at the moment when they were about to be delivered; and Elizabeth, whose conceptions of the royal prerogative strengthened as she grew older, believed it necessary to her own security, as unquestionably it harmonized with her own feelings, to practise a corresponding forbearance.

Her desertion of the Earl of Murray at the time of the Darnley marriage had not been wholly cowardice. The insurrection had been encouraged by Cecil and Bedford against her own judgment. It failed for want of the support which, at the last moment, she refused

to give, and in disowning Murray she had but asserted in public what from the first had been her private opinion.

July. In entire opposition to those who would have persuaded her now to retrace her steps, and to use the present opportunity for reviving her influence in Scotland, she chose a course which Catherine de Medici would herself have dictated, had she been asked in what way Elizabeth could most effectually play into her hands. On first hearing that the Lords were about to take arms, she had expressed some kind of hesitating approval. Their movements were avowedly directed rather against Bothwell than the Queen; and for the Queen's own interests she was eager to see her separated from the man who, as long as he remained at her side, implicated her in the world's eye in his own crimes: her relationship with Darnley entitled her to demand that Bothwell should not be allowed to go unpunished; and as the Prince's kinswoman, she might fairly desire to protect him from his father's murderer.

But even so, she had refused to sanction an armed movement against Mary herself; and when she learned that, without consulting her pleasure further, they had captured their sovereign in the field, and were holding her prisoner at Lochleven, she saw only a precedent of disobedience which her own Catholic subjects might imitate against herself.

Cecil, Bacon, Bedford, Mildmay, Knollys, all those members of her Council who were on the side of the Reformation, saw in what had befallen the Queen of Scots the natural and providential consequences of her own crimes. Elizabeth felt an instinctive prescience of the hard judgment of posterity upon herself; she

feared, if she looked on, that she would be suspected of indulging a jealous dislike of a dangerous rival; and she dreaded, on the other hand, the recoil upon herself of the example of a successful revolt. "Two special causes move her Majesty," so Cecil writes, describing Elizabeth's feelings; "one that she be not thought to the world partial against the Queen; the other, that by this example none of her own be encouraged." [1] Leicester relating, doubtless, the language which he heard daily from her own lips, wrote at the same time, "that however wicked a sovereign, the subject's duty was to obey: the wicked sovereign being sent by Heaven as much as the good; the one for the happiness of the subject, the other as their scourge." [2]

On two points Elizabeth was at once decided: first, that Mary Stuart should be instantly restored to liberty and to her sovereign state; secondly, that in the

[1] Cecil to Throgmorton, August 11: *Conway MSS.*

[2] "There is no persuading the Queen Majesty," Leicester continues, "to disguise or use policy, for she cannot but break out to all men her affection to this matter, and saith most earnestly she will become an utter enemy to that nation if that Queen perish. And for my part, though I must confess her acts to be loathsome and foul for any prince, yet is the punishment more unnatural, and in my conscience unjustly and without an authority done upon her — and surely will never prosper with the doers. I know not what wresting of Scripture may be used, but these rules we have plain for us in Scripture. In the Old law we have the example of David, who not to die would ever touch his anointed Sovereign, when he had him in his will and danger to do what he listed with him. In the New we have plain commandments to obey and love our princes, yea though they be evil — for God sendeth them not for us to punish at our will when they fault, but appointeth them to us if they be evil to plague us for our faults. The words be plain and the example true. I mean for my part with God's grace to keep it, and I am heartily sorry that those there do no better follow it. For what doth the world say, but subjects having gotten their prince into their hands, for fear of their own estates and for ambition to rule, depose their sovereign and make them themselves by a colour the head governours. Well, well, though she have been very evil some ways, yet is she overhardly recompensed." — Leicester to Throgmorton, August 6: *MSS. Ibid.*

prosecution for the murder of Darnley, Mary Stuart should herself escape accusation, and that means should be taken to cover her reputation. Having formed this resolution, her next step was to write to the Queen of Scots herself; and as she was going to act towards her with so substantial kindness, she seized the opportunity to add another sisterly admonition.

When the Bishop of Dunblane was sent to Paris to announce the Queen's marriage with Bothwell, Sir Robert Melville came to London on the same errand. Elizabeth had as yet taken no notice of the communication. "Madam," she now wrote, "it hath been always held for a special principle in friendship that prosperity provideth, but adversity proveth friends; whereof at this time finding occasion to verify the same with our actions, we have thought meet, both for our professions and your comfort, in these few words to testify our friendship, not only by admonishing you of the worst, but also to comfort you for the best." "We have understood by Robert Melville such things as you gave him in charge to declare on your behalf concerning your estate, and specially of as much as could be said for the allowance of your marriage. Madam, to be plain with you, our grief hath not been small, that in this your marriage so slender consideration hath been had, that as we perceive manifestly, no good friend you have in the whole world can like thereof: and if we should otherwise write or say we should abuse you; for how could a worse choice be made for your honour, than in great haste to marry such a subject, who besides other notorious lacks, public fame hath charged with the murder of your late husband, — besides the touching of yourself also in some part, though we trust in that behalf falsely. And with

what peril have you married him that hath another wife alive, whereby neither by God's law nor man's yourself can be his lawful wife, nor any children betwixt you legitimate! Thus you see plainly what we think of the marriage, whereof we are heartily sorry that we can conceive no better, what colourable reason soever we have heard of your servant to induce us thereto. We wish, upon the death of your husband, the first care had been to have searched out and punished the murderers; which having been done effectually — as easily it might have been in a matter so notorious — there might have been many more things tolerated better in your marriage than that now can be suffered to be spoken of. And surely we cannot but for friendship to yourself, besides the natural instinct that we have of blood to your late husband, profess ourselves earnestly bent to do anything in our power to procure the due punishment of that murder against any subject that you have, how dear soever you hold him; and next thereto, to be careful how your son the Prince may be preserved, for the comfort of you and your realm; which two things we have from the beginning always taken to heart, and therein do mean to continue; and would be very sorry but you should allow us therein, what dangerous persuasions soever be made to you for the contrary.

"Now for your comfort in such adversity as we have heard you should be in — whereof we cannot tell what to think to be true — we assure you, that whatsoever we can imagine meet to be for your honour and safety that shall lie in our power, we will perform the same; that it shall well appear you have a good neighbour, a dear sister, a faithful friend; and so shall you undoubtedly always find us and prove us to be

indeed towards you; for which purpose we are determined to send with all speed one of our trusty servants, not only to understand your state, but also, thereupon so to deal with your nobility and people, as they shall find you not to lack our friendship and power for the preservation of your honour and greatness." [1]

It would seem, from the tone of this letter, as if the details of the Queen of Scots' misadventures were as yet but vaguely known in London. Elizabeth appeared only to understand that the Queen of Scots was on bad terms with her subjects, and had met with some large disaster. In the same spirit, and by the same messenger, she wrote to the Lords.

She never clearly remembered that the Scotch nobility were not her own subjects. She addressed them habitually in the language of authority, and on the present occasion took on herself to dictate, as if she was their Lady Paramount, the line of conduct which she expected them to pursue.

First she required the evidence of Bothwell's guilt to be laid out distinctly before her, that "she might be induced to believe the same by all probable means." He might then be divorced from the Queen of Scots, and be punished with his accomplices. His castles she desired to see be placed in the hands of "neutral noblemen," who should bind themselves to admit no French or Spanish troops into Scotland; and the Queen should for the future be assisted in the administration by a Council, to be chosen by the Parliament of Scotland. Elizabeth said that she expected the Act for the establishment of the Protestant religion to be at length formally ratified; and the constitution so

[1] Elizabeth to the Queen of Scots, June 23: *MSS. Scotland, Rolls House.*

established would then be upheld and guaranteed by the English Government.[1]

Thus having arranged all things to her own satisfaction, she chose Sir Nicholas Throgmorton, the strongest supporter in the Court of Mary Stuart's claims on the English succession, to carry down her pleasure to the Confederate noblemen. That he would be permitted to see Mary Stuart was assumed as a matter of course. Elizabeth believed that she had but to express her pleasure as to the settlement of the State to be immediately obeyed; and still more satisfied with herself and her good intentions, she thought proper to accompany the execution of them with a second and stronger admonition to the Queen of Scots, on the magnitude of her recent offences.

"Her fame and honour," she said, "had been in all parts of Christendom impaired and decayed;" her husband had been horribly murdered, almost in her presence, and the perpetrators of the crime were going at large unpunished and unsought after. "She had favoured and maintained the Earl of Bothwell, a man of infamous life, and notoriously charged by all the world as the principal assassin. She had assisted him in procuring a divorce such as was never heard of; that a man guilty should for his own offence put away his innocent wife, and that to be coloured by form of law;" and finally, "she had brought mortal reproof upon herself, by taking that defamed person to be her husband."

[1] Notes for the government of Scotland for Sir N. Throgmorton, July, 1567: *MSS. Scotland, Rolls House.* At the foot of the page Cecil wrote the following most significant note:—

"Athaliah Regina intercepta per Joash regem."

Meaning perhaps, that if Mary Stuart was continued on the throne, she would destroy the Prince if she could; and if the Prince was saved from her, he in turn might revenge on her his father's death.

"These doings," Elizabeth continued, "had been so shocking, that she had never thought to have dealt more with the Queen of Scots in the way of advice," "taking her by her acts to be a person desperate to recover her honour." She had not been alone in her ill opinion of her. "Other princes, the Queen of Scots' friends and near kinsfolk, were of like judgment." Her capture and imprisonment, however, had "stirred a new alteration and passion of her mind." She "felt her stomach provoked to an inward commiseration of her sister;" nor "could she suffer her, being by God's ordinance a Princess and Sovereign, to be in subjection to those who by nature and law were subject to her." She intended to interfere in her favour, and "to do as much for her (the circumstances of her case being considered) as if she was her natural sister or only daughter." The Queen of Scots must tell Throgmorton the whole truth, "that her subjects might be reprehended for things unduly laid to her charge." "Where her faults could not be avoided or well covered, the dealing therein should be so used and tempered as her honour might be stayed from ruin, and her state recovered to some better accord." If her subjects would not consent to make arrangements with her, "she should not lack English aid to compel them thereto."

So much for the message to the Queen, whom, at the same time, Elizabeth recommended "to use wisdom and not passion in her adversity;" and to remember that her own faults had brought her to the trouble in which she found herself.

To the Lords she assumed the power and the language of supreme feudal arbiter. She directed Throgmorton to tell them that "she neither would nor could

endure, for any respect, to have their Queen and Sovereign to be by them imprisoned, or deprived of her state, or put in peril of her person." Subjects had no right to take upon themselves to reform the faults of princes; they might seek the amendment of their Queen's faults by counsel and humble requests; if they did not succeed, they "should remit themselves to Almighty God, in whose hands only princes' hearts remained." For "doing justice upon the murderers," she believed the Queen of Scots would consent to it. If she refused, the Lords could do no more: but Elizabeth conceived "that some power existed in herself, and that for the punishment of horrible and abominable facts, one prince and neighbour might use compulsion with another."

Finally, she impressed on Throgmorton himself the desirableness of bringing the Prince to England. He would then be out of personal danger, "and many good things might ensue to him of no small moment;" that is to say, the road would be opened to him towards the succession. "She meant truly and well to the child;" and while she cautioned Throgmorton to be wary in approaching so ticklish a subject, she said at the same time, "that of all matters by him to be compassed, she would most esteem of his success in this." [1]

[1] Instructions to Sir N. Throgmorton, June 30: *MSS. Scotland, Rolls House.* From the commencement of the disturbances both France and England had been making overtures to get possession of the Prince. De Silva writes on the 21st of June to Philip:—

"Tienen al Principe en mucha guarda. El Embajador que esta en aquel Reyno por el Rey de Francia ha hecho gran instancia para haberle, como tengo escrito por todas las vias que he podido — prometiendo á los Señores y á otros de parte de su Rey pensiones y otras dadivas por cartas del Rey. Resolutamente le han respondido que no se le quieren dar . . . y á los que se le pedian de parte desta Reyna, que tenian en mucho el cuidado que

In the policy which she was pursuing Elizabeth may have consulted wisely for her own reputation; but her attitude of haughty dictation was the last which she ought to have assumed, if she desired Scotch statesmen to be guided by her wishes. The tone of semi-command was certain to irritate the national sensitiveness; nor had she understood the extraordinary complication of Scotch parties and interests.

In the hatred of Bothwell the Lords of all creeds and parties had been unanimous. Glencairn, Mar, and Lindsay among the Protestants, Caithness and Athol among the Catholics, had been unconnected from the first with the intrigue for Darnley's murder, and were sincere in their horror of it. Argyle, Huntly, Maitland, and Sir James Balfour, who had been parties with Bothwell to the bond at Craigmillar, were equally indignant at his relations with the Queen, and equally determined to separate him from her.

No sooner, however, was Mary Stuart at Lochleven than private feuds, and political divisions and sympathies, split and rent the Confederacy in all directions. Some had French sympathies; some were for the old religion, and some were for the new. After the Queen and the Prince, the next place in the succession was disputed between the House of Hamilton and the House of Lennox. If the Queen was deposed, the Regency, in the Prince's minority, would go by the custom of Scotland to the nobleman next in blood to

mostraba de la seguridad de su vida, pero que no querian que el niño saliese ni se criase fuera de aquel reyno." — *MS. Simancas.*

On the 13th of July, Cecil wrote to Sir H. Sidney: —

"We are in secret contention with the French who shall get the Prince of Scotland. They fish with hooks of gold, and we but with speech. Sir N. Throgmorton is in Scotland about these matters." — *MSS. Ireland, Rolls House.*

the Crown. The Queen, by her marriage with Darnley, had estranged the Hamiltons. The Hamiltons, in return, had been parties to the murder, and had encouraged afterwards the marriage of the Queen with Bothwell, simply in the hope that she, too, would be ruined, the Prince probably murdered also, and the throne of Scotland become theirs.

On the other hand, the Protestants, and the friends of England and of the House of Lennox, were opposed equally to the claims of a family who were half Papist and half French. A fortnight after Carberry Hill, Sir William Drury wrote that already the question was asked of every man, "Was he a Hamilton or a Stuart." "The Hamiltons could not digest that the Prince should be at the devotion of England;" and there was a strong anti-English faction at their back: while Morton, Athol, Ruthven, and Mar were utterly opposed to them; if the Prince died, these noblemen would have the crown go to Darnley's younger brother; and Drury "thought it would prove hard for Scotland to nourish both families."[1]

And, again, the difficulties were scarcely less in making a fair enquiry into the circumstances of the murder. The world demanded an investigation; yet if the investigation was more than a form, the names of four or five of the most powerful men in the country could hardly fail to be compromised. Sir James Balfour made no secret of his own share in the crime. He, too, like the rest, was furious at having been taken in by Bothwell and the Queen; and he earned his own pardon by surrendering Edinburgh Castle to the Lords, and by a frank confession of all that he knew. "The Queen," he said, "one day sent for him, and

[1] Drury to Cecil, June 29, and July 1: *MSS. Border.*

after a few flattering words expressing the confidence which she placed in him, said that she could never forgive the King for his ingratitude, and for the death of David Ritzio; he had become so hateful to her that she could not bear the sight of him; she wished to have him killed, and she desired Balfour's assistance." Balfour, according to his own story, had replied, "that in any other matter he would gladly serve her, but that to kill a king was more than he dared." The Queen said that with her sanction he might do it; she was his sovereign, and he was bound to obey her. He again declined, and then she said he was a coward, and if he betrayed her confidence it should cost him his life.[1] This account fell in but too well with what was already known; but the Lords, bad and good, working together for their several ends, were obliged to shield those who, like Balfour, were ready to desert to them; and it was no less necessary to conceal the evidence which implicated Argyle and Huntly.

An open and candid exposure of the whole truth — such an exposure as would have satisfied the demands of Elizabeth, or have acquitted the Confederates before the bar of posterity for their treatment of their own sovereign — was believed to be impossible.

[1] The Catholic correspondent of De Silva is the authority for Sir James Balfour's confession. The exact words are worth preserving.

"El qual declaró que la Reyna le habia mandado llamar un dia aparte, y le habia dicho despues de haber encarecido la confiança que del tenia, que ella estaba muy indignada del Rey por la muerte del secretario David, y por la gran ingratitud que con ella habia usado; y assi le tenia tan aborrecido que no podia verle, y estaba determinado de le hacer matar, y que lo queria executar por su mano, y le pedia y mandaba se encargase dello. A lo qual el habia respondido que en cualquiera otra cosa le serviria como era obligado, mas que en esto no lo podia hacer por ser su marido tenido y publicado por Rey. E que le habia replicado que el lo debia y podia hacer por su mandado, que era su Reyna natural; y que escusandose otra vez, le habia dicho que lo dexaba de hacer de cobarde y no por otro respeto, y que le mandaba su pena, de muerte que no descubriese á nadie lo que le habia dicho." — De Silva to Philip, September 6: *MS. Simancas.*

Meanwhile the body of the people, untroubled by difficulties of this kind, yet made unjust too on their side by the violence of religious fanaticism, had fastened the guilt exclusively on Mary Stuart. They had learnt from Knox that Papistry was synonymous with devil-worship. The Queen, long hateful to them as the maintainer of Romish enormities, had now, like another Jezebel, shown herself in her true colours; and as she had been a signal example of the moral fruits of her creed, so they desired to make her as signally an example in her punishment.

No sooner had she been despatched to Lochleven, than Glencairn, with a party of Calvinist zealots, purged the chapel at Holyrood of its Catholic ornaments, melting down the chalices, and grinding the crucifixes to powder; while the alleys and wynds of Edinburgh were searched from loft to cellar, and such servants of the palace or followers of Bothwell as were found lurking there were seized and brought to trial. Sebastian, whose marriage on the night of the murder had been the excuse for the Queen's departure from the house at Kirk-a-Field, was one of the first to be taken, and it is to the credit of his examiners, considering the temper of the times, that he was acquitted. Blackadder, it has been seen, was convicted, hanged, and quartered in a few hours. Powrie and Patrick Wilson were examined under torture.[1] They confessed to their own share in the murder, and were reserved — probably because they knew no dangerous secrets — to keep their evidence available. On the 20th of June Sir James Balfour placed in the

June.

[1] "The Council order the said persons to be put in the irons and torments for furthering of the trial of the verity, provided always that this cause, being for a Prince's murder, be not taken as a precedent in other cases. — Sitting of the Lords of Secret Council, June 27: Keith.

hands of the Confederates a body of documents, which for the first time revealed to many of them the inner history of the whole transaction. The Earl of Bothwell, on leaving Edinburgh for the Borders, had left in Balfour's hands the celebrated casket which contained the Queen's letters to himself, some love sonnets, the bond signed at Seton before his trial, and another, probably that which was drawn at Craigmillar after the Queen's illness. The casket itself was a silver enamelled box, one of the treasures which Mary Stuart had brought with her from France. She had bestowed it upon her lover, and her lover in return had made use of it to preserve the proofs that he had been acting in the murder only as the instrument of his mistress, and with the authority of half her council.[1] Being of infinite importance to him, he sent Dalgleish, one of his servants, from Dunbar after his flight from Carberry Hill, to fetch it. Balfour gave it to Dalgleish, but sent private word to the Confederates, who captured both the prize and its bearer.

That the Queen had in some way and to some degree been a party to the murder was already evident to all the world, except perhaps to Elizabeth. But her relations with Bothwell, the terms on which she had placed herself with him while she was still encumbered with a husband; the treachery, for which "infernal" is not too hard an epithet, with which she had enticed him to the scene of his destruction; and the secret history of her capture at the Bridge, though conjectured too accurately by popular suspicion, had

[1] That some casket was discovered cannot be denied by the most sanguine defender of the Queen of Scots, for it was admitted by her own advocate. The only point on which a question can be raised, is the exact nature of its contents. — See the Statement of Lord Herries, Keith, Vol. I. p. 683, *note*.

not as yet been distinctly known, and the proofs of them laid out in deadly clearness acted on the heated passions of the Lords like oil on fire.

Even unscrupulous politicians like Maitland, who had seen no sin in ridding the world of a vindictive unmanageable boy, might feel anger, might feel in a sense legitimate indignation, when they perceived the villany to which they had lent themselves. They might have experienced too some fear as well as some compunction, if, as Lord Herries said, the casket contained the Craigmillar bond, to which their names remained affixed. This at least it was necessary to keep secret, and uncertain what to do they sent one of their number in haste to Paris to the Earl of Murray, to inform him of the discovery of the letters, and to entreat him to hurry back immediately.[1]

[1] The theory that the letters were forged in the later maturity of the conspiracy against the Queen falls asunder before the proof that the contents of the most important of them were known to Murray before he left France. If forged, therefore, the letters must have been forged in the first heat and confusion of the revolution—at a time when the Confederates were endeavouring if possible to screen the Queen's reputation, if she could be induced to abandon Bothwell. On his way through London at the end of July, Murray saw the Spanish Ambassador; and De Silva, who had the fullest confidence in Murray's integrity, gave the following account to Philip of the conversation which had passed between them: —

"Se vinó á declarar mas, diciendo me que por la voluntad que le habia mostrado, me queria decir lo que no habia querido communicar á esta Reyna, aunque ella le habia dado algunas puntadas en ello, pero de lejos. Era que el tenia por gran difficultad que se pudiese concertar este negocio, porque era cierto que la Reyna habia sabidora de la muerte de su marido; de que el estaba muy penado; y que se habia sabido sin duda por una carta de la Reyna scripta á Bothwell, demas de tres pliegos de papel, toda en su propria mano y firmada de su nombre. En la qual escribia en sustancia que no tardase en poner en execution lo que tenian ordinado, porque su marido le decia tantas buenas palabras por engañarle y traerle á su voluntad, que podria ser que la moviese á ello; sino se haria lo demas con presteza, y que ella misma iria á traerle, y vendrian á una casa en el camino, á donde procuraria se le diese algun bevediza; y que si esto no pudiese hacerse le pondria en la casa á donde estaba ordenado lo del fuego para la noche que se habia de casar un criado suyo, como se hizo. Y que el se procurase de

John Knox, who had been absent from Scotland since the death of Ritzio, and had been half inclined to abandon his poor country altogether and return to Geneva and Calvin, came back at this crisis to resume the command of the Church, and the General Assembly met at Edinburgh on the 25th of June. Chatelherault was at Paris, paying his court to Charles and Catherine. The Archbishop of St. Andrew's, Lord Arbroath, Argyle, Huntly, Crawford, Herries, Seton, Fleming — all those who preferred the French alliance to the English — were assembled at Hamilton Castle watching the proceedings of the other party. As the best hope of a peaceful solution of the difficulties in which they found themselves, the Confederates invited these noblemen to join them at Edinburgh in a General Convention. The request was declined, but not so declined as to leave no hope that it might be accepted on certain conditions. It was understood that the support of the Hamiltons would be given freely to the party who had imprisoned the Queen, if the succession to the Regency were determined in their favour.

July. Such was the condition of parties, humours, and dispositions in Scotland which Elizabeth had sent Throgmorton to command and control. Some intelligent intimation of the confusion which he was to find there had been already sent to Cecil by

desembaraçar de su muger, apartandose della ó dandole alguna bebida con que muriese, pues sabia que ella por el se habia puesto en aventura de perder su honra y Reyno y lo que tenia en Francia y á Dios, contentandose con su sola persona. Y que demas desto, habia hecho otro estraño y no visto trato la noche de la muerte que habia sido el dar una sortiza á su marido, habiendole hecho muchos amores y regalos teniendole tratado la muerte, que habia sido aun peor que lo demas que se diria; y que lo de la carta lo sabia de quien le habia visto y leydo; y lo demas era notorio, de que el estaba lastimadissimo por el honor de la casa de su padre." — De Silva to Philip, August 2: *MS. Simancas.*

Maitland. It was important to make England feel that France was ready and willing to take the Lords under its protection on the Lords' own terms. For himself, Maitland said, the English alliance had always appeared most beneficial to Scotland, and he preferred even in the present emergency to work in harmony with the English Court. M. de Villeroy, however, had come over with such warm and liberal offers from the King of France, that if Elizabeth refused to support them, if Elizabeth interfered between them and the Queen, they would be compelled to close with the French proposals. De Villeroy would otherwise throw himself upon the Hamiltons, and there would be a civil war.[1]

Throgmorton had started before Maitland's letter arrived, but it produced no effect upon Elizabeth. She had provided means, as she supposed, to parry the danger from France; for if the Confederate Lords refused to release Mary Stuart, Throgmorton, too, was directed to address himself to the Hamiltons. The threatened civil war was not, in Elizabeth's opinion, too dear a price for her cousin's liberty. She was prepared to take part with the pretensions of the family which had been the unvarying opponents of England, if they on their side would join with her in the procuring the release of the Queen, and Charles might support, if he pleased, the Protestant noblemen in oppressing his own kinswoman.

In the hope that if she had time to think Elizabeth would not persist in so extraordinary a policy, Throgmorton lingered on the road. He stopped at Gorhambury to talk to Bacon; he was ten days in reaching Berwick; while Elizabeth was counting the hours

[1] Maitland to Cecil, July 1: *MSS. Scotland, Rolls House.*

which would have to pass before he could reach Edinburgh, and sent message after message to him to make haste.

Bacon, Cecil, and Leicester alike deplored the determination into which she had settled herself. The highest interests of England were being sacrificed for the sake of one bad woman; but their opinions and their remonstrances were alike disregarded. Leicester had to tell Throgmorton, in a passage which he underlined, "that he did not see any possibility that the Queen's Majesty could be won to deal as she should or would do, if the Queen of Scots were not in personal danger;"[1] and Throgmorton, on whom the truth of the situation forced itself more and more clearly as he approached Scotland, could but reply, "that he was very sorry that the Queen's Majesty's disposition altered not towards the Lords; for, when all was done, it was they which would stand her in more stead than the Queen her cousin, and would be better instruments to work some benefit and quiet to her Majesty and the realm than the Queen of Scotland, who was void of good fame."[2]

Thus reluctantly he was driven forward on his unpromising mission. He had left London on the 1st of July; on the 12th he was at Fast Castle, where Maitland and Hume met him, and confirmed his misgivings of the probable effect of his message. They said, briefly, that they had no kind of trust in Elizabeth. In all her transactions with them she had considered no interests but her own. She was still playing her old game; and if they "ran her fortune," and allowed her to direct them in their present condition, they weL

[1] Leicester to Throgmorton, July 8: *Conway MSS.*
[2] Throgmorton to Cecil, July 11: *MS.* Ibid.

knew "she would leave them in the briars." Throgmorton spoke of the siege of Leith. They replied that in expelling the French she had been consulting her own safety not theirs; "and upon other accidents which had chanced since, they had observed such things in her Majesty's doings as had tended to the danger of such as she had dealt withal, to the overthrow of her own designments, and little to the satisfaction of any party." As to her present message, Maitland said, with a smile, that she had better leave them to themselves. The French "were ready to deliver them of their Queen for ever, to end her life in France, in an abbey reclused;" the French would protect the Prince, and protect the Confederate noblemen from Elizabeth, or from anyone; and they themselves intended either to close with their proposals, or else "do what they thought meet for their state and country, and use their remedies as occasion should move them." Throgmorton asked whether he could see the Queen. They replied that it was highly unlikely. The French Ambassador had been refused, and they would not offend their friends in Paris, by showing favours to the minister of Elizabeth which had been withheld from Du Croc, unless Elizabeth would pay a higher price for their preference than she seemed inclined to pay. As to setting the Queen at liberty, "it was but folly" to speak of such a thing. If the Queen of England insisted upon this, it could only be because "she meant their undoing." [1]

At Edinburgh Sir Nicholas found the same humour, or a humour, if possible, more unfavourable to England. He did not think Mary Stuart to be in present personal danger. She was closely guarded, but her

[1] Throgmorton to Cecil, July 12: *Conway MSS.*

health was reported to be good; and, so far as he could learn, there appeared to be no intention either of publishing her guilt or of touching her life. She might be released, he was told, if she would make up her mind to give up Bothwell; but she continued obstinate; "she avowed constantly that she would live and die with him;" "if it were put to her choice whether she would relinquish crown and kingdom or the Lord Bothwell, she would rather leave her kingdom and dignity to live as a simple damsel with him; and she would never consent that he should fare worse or have more harm than herself." [1]

So long as this mood continued, neither the persuasions nor threats of England should unlock the gates of Lochleven Castle. But, so far as Throgmorton could learn, the purpose of the Confederate noblemen ended in her confinement, and if they were left to themselves they did not mean to hurt her.

The Clergy and Commons, however, were in a less gentle temper. The General Assembly had been prorogued after a short session, but was to reopen on the 20th of July. It was understood that Mary Stuart's deposition, if not her death, would then be fiercely demanded; and "the chiefest of the Lords durst not show her as much lenity as they would," in fear of the people. "The women were most furious and impudent against her; yet the men were mad enough." And the Queen's peril was aggravated by the peculiar infamy of the Hamiltons, who in form and outwardly were pretending to be on her side; but rather "because they would have the Lords destroy her, in fear that otherwise she might be recovered from them by violence." The Queen once dead, the only consider-

[1] Throgmorton to Elizabeth, July 14: *MSS. Scotland.*

able obstacle would be removed which stood between them and the crown.[1] Treachery so profound might have seemed incredible; but it was in harmony with all their previous conduct, and it was brought to a point and openly avowed immediately after.

The danger was greater and more immediate than Throgmorton supposed. The mission and message of De Villeroy had conclusively satisfied the Confederates that they had nothing to fear from France. He had told them, that if the Queen were sent to Paris, she would be taken care of there, and should trouble them no further. They would have consented, but for the reflection that "time would help to cancel her disgrace;" and that "she might be an instrument at some future time to work new unquietness." De Villeroy carried back their refusal; but no resentment followed, and no change of tone. Catherine de Medici, so far from taking offence, sent a second minister, M. de Lignerolles, a gentleman of her household, with a mission precisely similar. De Lignerolles was ordered to reconcile the Hamiltons and the Confederate noblemen; to do something for the Queen if possible, but chiefly and especially to draw Scotland nearer to France; to assure all parties that France desired merely the well-being of their country, and was ready to support them in any measure which they considered necessary. In other words, that they might do what they pleased, provided they would renounce England, and reattach themselves to their old allies.[2]

Thus, day after day, it grew more likely that the Lords would take the brief sure way with Mary Stuart, and the tone taken by Elizabeth only increased her

1 Throgmorton to Elizabeth, July 14: *MSS. Scotland.*
2 Instructions to M. de Lignerolles: Teulet, Vol. II.

danger. Throgmorton had not been idle. He had found means to communicate with her. He had urged her to consent to the single condition under which he could hope to interfere for her successfully, but he found her as obstinate as others had found her. "She would by no means yield to abandon Bothwell as her husband, but would rather die." She believed, or affected to believe, that she was with child; but a situation which suspends the execution of an ordinary criminal, only tended to precipitate the fate of the Queen of Scotland, and the prospect of issue from so detestable a marriage "hardened the Lords to greater severity against her."

Both John Knox and his fellow-minister Craig agreed in advocating the execution. "They were furnished with many arguments, some from Scripture, some from histories, some grounded, as they said, upon the laws of the realm." "The Commons convened at the Assembly did mind manifestly the Queen's destruction;" and "it was a public speech among all people, and among all estates, that the Queen had no more liberty to commit murder nor adultery than any other private person."[1]

The unhappy woman, alarmed at last at the fate which appeared so near her, made an effort to save herself. Subdued, or half subdued, and obstinate only in her love for Bothwell, she begged that they would remember, at least, that she was her father's daughter, and their Prince's mother. If it would save her life, she said that she would make over the government either to her brother or to a Council of the Lords, or to any person or persons they might be pleased to name.

[1] Throgmorton to Elizabeth, July 18; Throgmorton to Cecil, July 16, July 18: *MSS. Scotland.*

But it was not likely to avail her. "The preachers were of one mind" that she should be put to death. The more moderate among the noblemen "durst not speak for her, to avoid the fury of the people." Murray himself, detained at Paris, sent over his friend Mr. Elphinstone to intercede, but seemingly without effect. "The people were greatly animated against her." The Confederates "were too far over the stream to leave themselves unprovided for;" and "the common voice declared, that it should not lie in the power of any within the realm, or without, to keep her from condign punishment for her notorious crimes." [1]

Unhappily, the hands which would have executed this high act of justice were themselves impure. Those who talked the loudest of the guilt of murder, had felt no horror at the murder of Ritzio; and even with Knox himself, and with his iron-hearted congregation, the rage against the Queen was but partly due to her moral iniquities. They, too, were men of no very tender nerves; and had Darnley proved the useful Catholic which the Queen intended him to be, they would have sent him to his account with as small compunction as Jael sent the Canaanite captain, or they would have blessed the arm that did it with as much eloquence as Deborah.

So far as Throgmorton could judge, there were four possibilities. Maitland, who had the merit of remembering his own share in Darnley's death, proposed that the Queen should be released and restored to a titular sovereignty. The power could be vested wholly in a Council, and her hands tied so that she could do no harm. Legal securities could be taken for the establishment of the Protestant religion; the Prince could

[1] *MSS. Scotland.*

be conveyed to some safe place, either France or England, as convenience might dictate; and Bothwell be taken, divorced, and executed. Morton and Athol preferred shaking off the Queen, and making arrangements for her confinement for life in England, if Elizabeth would consent to take charge of her. The Prince should be crowned, and Scotland governed by the Lords.

But neither of these opinions found general favour. The mass of the people, ignorant of the secret history of the murder, insisted that the Queen should be publicly tried, and if found guilty should either remain a prisoner among themselves, where she could give no more trouble, or else be put to death.

Of these alternatives the second was most likely to be preferred, "for they dreaded mutation among themselves, the commiseration of foreign Princes, and likewise that in time the Scots themselves would have compassion for her." Throgmorton interceded, argued, protested. Subjects, he said, could not sit in judgment on their sovereign. If they executed her, "they would wipe away her infamy," and "turn upon themselves the indignation of the world." But the fierce rhetoric of Knox, with the bloody annals of the chosen people for his text, tore to shreds these feeble considerations. The English minister was told that "in extraordinary enormities and monstrous doings there had been and must be extraordinary proceedings. New offences did in all States occasion new laws and new punishments." "Surely," said Maitland to him with bitter truth, "the Queen of England has taken an ill way to have us at her devotion. The Earl of Murray found cold relief and small favour at her hand, and now she has sent here to procure our Queen's liberty.

I would I had been banished my country for seven years on condition the Queen your mistress had dealt liberally and friendly with us. However the case fall out we shall find little favour at her hands more than fair words." [1]

"I pray you advise," Throgmorton privately wrote to Cecil, "I pray you advise what is best; and so as the Queen being dead either in body or estate, this Prince and country come not in the French devotion to one camp. If her Majesty do not in time win these Lords and recover her crased credit among them before they have ended these matters without her advice, I see they will take a course little to our advantage." [2]

It seemed as if, overborne by the storm, and by the hopelessness of the situation, the English Ambassador now gave up the Queen for lost, and was turning his thoughts and his efforts to preserving the alliance between England and Scotland. Even this would be no easy matter, so exasperated were the Scots at the tone which Elizabeth had assumed to them. "Il perde le jeu qui laisse la partie," said Maitland to him in another conversation: "to my great grief I speak it, the Queen my Sovereign may not be abydin among us, and this is no time to do her good if she be ordained to have any. Therefore take heed that the Queen your mistress do not lose the good-will of this company irreparably. I assure you if the Queen's Majesty deal not otherwise than she doth you will lose all, and it shall not lie in the power of your wellwillers to help it no more than it doth in our power now to help the Queen our Sovereign." [3]

1 Throgmorton to Cecil, July 19: Keith.
2 Same to the same, *MSS. Scotland, Rolls House.*
3 Throgmorton to Elizabeth, July 21: *MSS. Scotland.*

Mary Stuart's sun was now at the point of setting. The people well knew her nature, and among the passions which were distracting them, the fear which is the mother of cruelty was not the least powerful. In their eyes the gentle sufferer of modern sentimentalism was a trapped wild cat, who if the cage was opened would fix claw and fang into their throats. On the 21st of July, at a meeting of the Council, the milder propositions of Maitland and Morton were definitively set aside. It was resolved to proceed immediately with the coronation of the Prince. If the Queen consented, — as when she first knew the extent of her danger she had promised to do, — her life would be spared, and her letters and the other evidences of her "infamy" would be withheld from public knowledge. If she refused, the truth in all its deformity would be laid before the world. In some form or other she would be brought to trial and as certainly condemned. Under no circumstances should she leave the realm; and "having gone so far," "they would not think to find any safety so long as she was alive." Mary Stuart herself looked for nothing but extremity. From a loop-hole in the round tower which was her prison in an angle of Lochleven Castle, she called to a child who was allowed to wander on the island, and bade him "tell her friends to pray to God for her soul — her body was now worth but little."[1]

John Knox, who, in theological language, expressed

[1] The Spanish Ambassador heard this from Elizabeth: — "La Reyna me habia dicho que despues que la habian puesto en la torre con tanta estrecheza y poca compania, que habia visto por una ventanilla un muchacho que por ser de poca edad las guardas no tenian cuenta, y solia darle algunos avisos, y le habia dicho que dixese á sus amigos que rogasen á Dios por el alma, que el cuerpo valia poco." — De Silva al Rey, Julio 26: *MS. Simancas.*

the conclusions of keen, cool, political sagacity, "did continue his severe exhortations against her, threatening the great plagues of God to the whole country and nation if she was spared from condign punishment." [1]

Elizabeth's behaviour at this crisis was more creditable to her heart than to her understanding. She had only to remain neutral, and she would be delivered for ever from the rival who had troubled her peace from the hour of her accession, and while she lived would never cease to trouble her. There was no occasion for her to commit herself by upholding insurrection. The Scots were no subjects of hers, and she was not answerable for their conduct. The crime of Mary Stuart's execution — if crime it would be — would be theirs not hers; and if she did not interfere to prevent or revenge it, the ultimate effect would inevitably be to draw the bands closer between Scotland and England. Yet she forgot her interest; and her affection and her artifices vanished in resentment and pity. Her indignation as a sovereign was even less than her sorrow for a suffering sister. She did not hide from herself the Queen of Scots' faults — but she did not believe in the extent of them; they seemed as nothing beside the magnitude of her calamities, and she was prepared to encounter the worst political consequences rather than stand by and see her sacrificed.

"You may assure those Lords," she wrote in answer to Throgmorton's last letters, "that we do detest and abhor the murder committed upon our cousin the King; but the head cannot be subject to the foot, and we cannot recognise in them any right to call their

[1] Throgmorton to Elizabeth, July 21: *MSS. Scotland.*

Sovereign to account. You shall plainly tell them that if they determine anything to the deprivation of the Queen their Sovereign, we are well assured of our own determination that we will make ourselves a plain party against them to the revenge of their Sovereign for all posterity. As to the French alliance, it will grieve them in the end as much as it will injure England; and yet were it otherwise, we cannot, nor will for our particular profit at this time, be induced to consent to that which we cannot in conscience like or allow, but shall remit the consequences thereof to the good-will and favour of Almighty God, at whose hands we have found no lack in the doing or omitting anything whereunto our conscience has induced us."[1] So she wrote to Scotland; and the Spanish Ambassador, who was suspicious enough generally of her motives, was satisfied that she meant what she said. If the Lords persevered, she told him, she would call on France to join with her in punishing them; if France refused, and gave them countenance, she would invite Philip to hold France in check, while she herself sent an English army to Scotland to set the Queen at liberty and replace her on her throne.[2] Yet she felt that her menaces might miss their effect, nay, perhaps, might produce, if she attempted to act upon them, the very thing which she most dreaded. She might revenge Mary Stuart's death, but she would not prevent the Lords from killing her if she provoked them to extremities. And again, when it came to the point, the sending troops to Scotland on such an errand, against the opinion of half her Council, might involve an English revolution. Violently as she was affected, she

[1] Elizabeth to Throgmorton, July 27: *MSS. Scotland.*
[2] Elizabeth to De Silva, July 29: *MS. Simancas.*

could not hide the truth from herself, and, therefore, for the immediate purpose — saving Mary Stuart's life — she looked with much anxiety to the return of the Earl of Murray from France. On Murray's regard for his sister, and on Murray's power to protect her, she believed that she could rely. On his passage through London in April, whatever might have been his secret thoughts, he had breathed no word of blame against her. He had mentioned to De Silva the reports which were current in Scotland, but he had expressly said that he did not believe them. To Elizabeth "he never spoke one dishonourable word of her;" and in Elizabeth's opinion he "was so far from the consent of any confederacy against her, that she was certainly persuaded her sister had not so honourable and true a servant in Scotland."[1] De Silva excepted him by name to Philip as the one Scottish nobleman whose behaviour in all the transactions which had followed the murder had been irreproachable.[2]

He had found no little difficulty in escaping from France. Catherine, who eight years before had tried to gain him, now renewed her overtures with increased earnestness, as more and more she knew that he was

[1] Heneage to Cecil, July 8: *MSS. Scotland.* So Leicester, writing to Throgmorton, says, "I have thought good to require you, if ye possibly may, to let that Queen understand, as I bear faith to God and my Prince, I never heard directly or indirectly any unreverend word from my Lord of Murray's mouth towards the Queen his Sovereign — but as dutifully and honourably as the best affected subject in the world ought and should speak of their Prince — which my testimony I would not give to abuse any one; neither is there any cause specially at this time that I should do so. But as I have always thought, so do I now verily believe, my Lord of Murray will show himself a most faithful servant and subject to her Majesty to adventure his life for her." — Leicester to Throgmorton, July 8: *Conway MSS.*

[2] De Silva to Philip, July: *MS. Simancas.*

the only man whose integrity could be relied on, and who, as she hoped, had been divorced from his English sympathies by Elizabeth's ill usage of him. She offered him rank, pension, power, the Scotch Regency, even the Scotch Crown she would have offered him, if he would lend himself to French interests. He had answered simply that he could agree to nothing prejudicial to his sister and to his nephew. If the French Court would assist in saving the Queen he would be grateful for their help,[1] but he declined accepting power for himself. His personal injuries had not blinded him to the advantages of the English alliance to Scotland, and he met Catherine's advances so coldly that she invented pretences to detain him in Paris. She complained that "he had a right English heart."[2] She found him entirely unwilling to lend himself to the evil game which she was playing.

At last "by his discreet and wise answers he rid himself out of her hands,"[3] and made his way to the sea. Still afraid of what might befall him, he durst not venture to cross in a French vessel, but had sent beforehand to Rye for an English fishing-boat.[4] Once

[1] Alava to Philip, July 13: Teulet, Vol. V.

[2] Sir H. Norris to Cecil, July 23: *MSS. France.*

[3] Ibid.

[4] "The Earl of Murray finding himself in some discontentment by his long delay of the French King, as also in hazard of detaining by force, beside peril of his person by such as have grudged much his affection towards England, required my lord my master (Sir H. Norris) to assist him by some policy to escape secretly out of France; whereupon I was dispatched towards Dieppe to stay some English bark under some colour — for my Lord of Murray will pass in no Frenchman — and if I find not an Englishman, then to haste over to Rye to provide him with all diligence: where I am arrived this afternoon; and mean as soon as wind and tide serve, God willing, to repair towards Dieppe again, where a messenger attends my arrival to give knowledge to my Lord of Murray at the Court, whereby he may under assurance of this vessel determine and adventure his purpose." — Thomas Jenyr to Cecil, July 13: *MSS. France.*

in England, his one object was to reach his own country with the least possible delay. He had formed no settled plan. He knew at last the full magnitude of his sister's guilt, for though he had not seen her letters to Bothwell, he had received an accurate description of the worst of them; yet he was determined to do his best for her, and, at the same time, to prevent his friends from breaking with England. It was necessary for him to pass again through London. Elizabeth sent for him, and spoke to him in a style which, had he been capable of resentment, might have tempted him to reconsider his intentions. He was obliged to tell her that his country had claims upon him, prior either to his sister's or her own.[1]

He had again a long conversation with De Silva, and spoke more openly to him than he had cared to do to the Queen. De Silva expressed a hope that something might be done with his sister short of dethronement — something like that which had been proposed by Maitland, and accompanied with proper securities against further mischief from her. Murray required no pressing. Could Bothwell be caught and hanged, he thought such an arrangement not entirely out of the question, and both he and his friends would not, if they could help it, offend Elizabeth. De Silva, who understood thoroughly the entire truth, scarcely offered to advise under circumstances so extraordinary. Murray, however, he thought might do what no one else could do. The Lords would trust him as their friend, and the Queen as her brother. Murray answered that as De Silva had spoken so reasonably, he would

1 "Notwithstanding so many practices, the Earl of Murray will continue a good Scotsman. The hard speeches used by her Majesty to him hath somewhat drawn him from the affection he was of to this realm." — Bedford to Cecil, August 10: *Border MSS.*

be entirely frank with him. The difficulty of an arrangement had been infinitely increased by the discovery of the Queen's letters to Bothwell. They had revealed (and he related the substance of one of them) the most profound and horrible treachery. She had brought dishonour upon his father's house, and had made her restoration all but impossible. Her life, however, he had good hopes that he could save.[1]

He impressed De Silva with the very highest opinion of his character, and he impressed no less favourably such of Elizabeth's Ministers as spoke with him. Sir Walter Mildmay, with whom he spent a night on his way down to Scotland, found him "very wise and still very well affected to the maintenance of friendship between the two realms;" "content to forget his own particular griefs," and shrinking only from the responsibilities which were waiting for him.[2]

August.

Bedford, whom he saw at Berwick, found him "neither over pitiful nor over cruel;" inclined, at all events, to prevent the Queen from being put to death, but refusing to commit himself further — much, in fact, in Bedford's own humour, and such as he wholly approved.[3]

[1] De Silva to Philip, August 2: *MS. Simancas.*

[2] Sir Walter Mildmay to Cecil, August 4: *Domestic MSS. Rolls House.*

[3] Bedford had formed a strong opinion as to the impolicy of Elizabeth's attitude. She had herself written to explain her views to him "Although," she said, "apparent arguments may be made that the neglecting of that Queen's estate in this her captivity, by supporting of the others, might tend greatly to our particular profit and surety — yet finding the same not agreeable to our princely honour, nor the satisfaction of our conscience, we cannot agree to certain demands made to us for the contrary, whereof we have thought good to let you understand our meaning." — Elizabeth to the Earl of Bedford, July 20.

Bedford, commenting to Cecil on this letter, says: "Those that serve must be directed always, though oftentimes it be to their great grief to put

Meantime events in Scotland had been moving with accelerating speed. Each post which came in from England brought fiercer threats from Elizabeth, which all the warnings of her Council could not prevent her from sending. It might have been almost supposed that with refined ingenuity she was choosing the means most likely to bring about the catastrophe which she most affected to dread.[1]

The letters from Edinburgh were all to the same purpose, that the louder Elizabeth menaced the more obstinate became the Lords. They would tolerate no interference between themselves and the imprisoned Queen. It was a Scottish question, which Scots and Scots alone should deal with. They would send the little James to be educated in England — but on one condition only.

"Let your Queen," said Maitland to the English Ambassador, "exalt our Prince to the succession of the

in execution all that they be commanded. I am sorry to see that her Majesty is no better affected to the Lords in Scotland. How much it shall stand us in stead to embrace their gentle offers and good wills, will one day appear." — Bedford to Cecil, July 25 and August 1: *Border MSS.*

Sir Walter Mildmay, writing also to Cecil on the same subject, says: "The matters in Scotland are come to a far other conclusion than as I perceived by your first was looked for here; but surely to none other than was like to follow, the case itself and the proceedings considered. A marvellous tragedy, if a man repeat it from the beginning, showing the issue of such as live not in the fear of God." — Mildmay to Cecil, August 4: *Domestic MSS.*

To Mildmay also it seemed false wisdom to attempt to arrest or change the natural retribution for crime.

[1] "Her Majesty remains in her first opinion; we have shown her that if the Lords are left out of hope of her Majesty, it will not only be a means of the greatest extremity to that Queen, but also a perpetual loss of those which neither she, nor hers, are like to recover again. It is showed her further, that the thing which she would fainest should not come to pass of all other things is by this her manner of dealing most likely to be brought to pass the sooner against her. She answers still she will not comfort subjects against their Prince." — Leicester to Throgmorton, July 22: *Conway MSS.*

crown of England, for fault of issue of her Majesty's body. That taking place, he shall be as dear to the people of England as to the people of Scotland, and the one will be as careful for his preservation as the other. Otherwise it will be reported that the Scottishmen have put their Prince to be kept in safety as those who commit the sheep to be kept by the wolves." [1]

July 24. On the 24th of July a full meeting of the Council was held in the Tolbooth. Throgmorton, compelled to obey the instructions which he received from home, demanded audience, and in his mistress's name required them formally to release their Queen. Without condescending to notice his request, they also communicated formally the decision at which they had themselves arrived.

"In consideration of the Queen's misbehaviour," her public misgovernment, and her private and personal enormities, "they could not permit her any longer to put the realm in peril by her disorders." If she would resign the crown, "they would endeavour to preserve both her life and honour, both which otherwise stood in great danger." If she refused, the Prince would be crowned, and she herself, in compliance with the demand of the General Assembly, would be placed on her trial for her husband's murder, and for other crimes.[2] She would be indicted on three several counts: — "The breach of the laws of the realm," the statute of religion of 1560, which had

[1] Throgmorton to Leicester, July 26: *MSS. Scotland.*

[2] "The General Assembly hath made request that the murder of the late King may be severely punished, according to the Law of God, according to the practice of their own realm, and according to the law which they call Jus Gentium, without respect of any person." — Throgmorton to Elizabeth, July 25: *Conway MSS.*

been passed in her absence and which she had never yet ratified, but which, nevertheless, they assumed to be binding upon her; "incontinency with Bothwell as with others, having sufficient evidence against her" in each particular case; and thirdly, the murder, in which "they said they had as apparent proof against her as might be, as well by the testimony of her own handwriting which they had recovered, as also by sufficient witnesses."

"Jus gentium" as well as precedent, there might perhaps be for the essentials of this proceeding. The doctrine of the responsibility of princes to their subjects had been preached thirty years before by Reginald Pole, when the Catholics were at issue with Henry VIII.; but kings and queens, when they had committed crimes, had been brought to justice so far by the wild method of assassination, and the establishment of a formal court in which a prince regnant could be indicted, was a new feature in European history. The messenger chosen to carry to Lochleven the intimation of the Council's intentions was the rugged Lindsay, the man of few words, who would have fought Bothwell at Carberry, and whom Mary Stuart had sworn to hang. Ruthven went with him, son of the hard earl who had been the first to seize Ritzio in her cabinet, and Robert Melville the diplomatist. These three represented the three parties into which the Lords were divided. Lindsay was the mouth-piece of the fiery zealots of the Assembly; Ruthven belonged to the more moderate faction of Morton and Mar; while Melville, as the secret agent of Maitland and Throgmorton, carried a note from the latter concealed in the scabbard of his sword, advising Mary to comply with any demand which should be presented to her,

and assuring her that no act which she might do under such compulsion could prejudice her rights.

Short time was allowed her for reflection. The same morning on which the Council communicated their purpose to the English Minister, Lindsay repaired to Lochleven. Persuasion was to be tried first, and Melville was admitted alone to the Queen's presence. He found her still unbroken — at times desponding, at times "speaking as stout words as ever she did." [1] Having an unexpected opportunity of speaking privately to her, he gave her Throgmorton's message, and added another directly from Elizabeth, with which he had been charged also, if he was able to give it; that "at all times she might count upon a sure friend in the Queen of England."

These fatal words — the prime cause of Elizabeth's long troubles in after years — "were no small comfort to her in her grief." [2] She said she would rather be in England under Elizabeth's protection, "than obliged to any prince in Christendom." Her proud blood boiled at the indignities which were thrust upon her, and in her first passion she fought fiercely against all that Melville could urge. But his arguments, coupled with the dreadful recollection of the Sunday night which followed her capture at Carberry, told at last upon her. The Council had sent three instruments for her signature: one her own abdication; another naming the Earl of Murray Regent, or, if Murray should refuse the offer, vesting the government in a Council; a third empowering Lindsay and the Earl of Mar and Morton to proceed to the coronation of her son. It has been said that when they were

[1] Bedford to Cecil, August 10: *Border MSS.*

[2] Sir R. Melville to Elizabeth, July 29: *MSS. Scotland.*

laid before her and she hesitated to sign them, Lindsay clutched her arm and left the print of his gauntleted hand upon the flesh; that having immediate death before her if she refused, she wrote her name at last with a scornful allusion to his brutality, and a contemptuous intimation of the worthlessness of concessions so extorted. The story rests on faint authority. If the Queen of Scots had hinted that she would not consider herself bound by the act to which she was setting her hand, her life would unquestionably have been forfeited; and however violent the intentions of Lindsay's party, it appears certain that she was not informed that her life was in immediate danger." [1]

However it was — whether in fear, or, as is far more likely, relying secretly on the assurance that an abdication obtained from her in her present condition would have no legal validity — she signed the papers, and Lindsay returned the same night with them to Edinburgh. Yet her peril was scarcely diminished. The instrument for the coronation of the Prince, it was understood, would be immediately acted on. Conscious of the effect which such an act would produce on Elizabeth, Throgmorton interceded with Maitland at least for a few days' delay. Maitland said that for himself he wished what the Queen of England wished; but "he was in place to know more than Throgmorton knew," and if Throgmorton meddled or

[1] The following mutilated fragment of a note addressed to her by Throgmorton remains in the Rolls House. It is dated the 28th of July, four days after her abdication: —

"Madam, I have received your memoir. I cannot obtain . . . . . lords to have access to your Majesty: and nevertheless . . . assure yourself the Queen my Sovereign hath great . . . . your good, and relieve you of your calamity and peril, which I find . . . . . greater than my Sovereign doth suspect. It behoveth . . . . somewhat to eschew the personal danger towards you, which is *much greater than your Majesty doth understand.*"

used "threatening speech," it would be the Queen's death-warrant, and he could only intreat him, if he valued her preservation, to be silent. On the afternoon of the 25th he was conducted again to the Tolbooth.

July 25. There stood or sate before him that stern body of fierce men — some who, in the fervour of godliness, had made the Scottish Reformation — some, the most of them, who had played with it for mere worldly purposes, but had all united on the purpose which they had then in hand. There they were, earls, barons, lords, and gentlemen, in armour every one, with their long boots and long steel spurs, ready to mount and ride. He was told briefly that the Queen had resigned, that they were going forthwith to Stirling to crown the Prince, and he was invited to accompany them.

Notwithstanding Maitland's caution, he dared not be silent. Solemnly, in the name of his mistress, he protested against an act which would bring down upon them the indignation of Europe. In his own person he pleaded with such of them as he privately knew or could hope to influence. At least he urged them to wait for the return of Murray; and as to the coronation, he declared, that he neither might nor would "be present at any such doings."

They were prepared for his remonstrances, and prepared to defy them. The Lords, who sate in front, said briefly, that they must do their duty; the realm could not be left without a prince, and the government would be administered for the future "by the wisest of the nobility." A loud cry rose from the crowd of gentlemen who stood behind, that "the realm could

not be governed worse than it had been; the Queen was advised by the worst Council or no Council."

The Lords rose: "My Lord," they said, "we will trouble you no further; the day passeth away, and we have far to ride." Their horses were before the gate; they mounted, and the iron cavalcade streamed away across the Grassmarket. Three days later, so far as subjects could make or unmake their sovereign, the reign of James VI. had commenced.

Throgmorton could only write to request his recall. He dreaded now that Elizabeth would reply to so daring a contempt of her commands by some open act of hostility; and that, whatever else might come of it, Mary Stuart's doom would then be sealed. "As the case stands with this miserable Queen," he wrote the morning after the Lords' departure, "it shall be to little purpose to me to have access to her, or to treat with her according to my instructions. It is to be feared that this tragedy will end in the Queen's person after this coronation, as it did begin in the person of David the Italian and the Queen's husband." [1]

Yet Throgmorton's efforts had not been wholly thrown away: Mary Stuart's throne was lost irrecoverably, and her life was hanging by a thread; but both her life and the exposure and infamy which would accompany her public trial might yet be prevented, if Elizabeth could only be kept quiet. To this Mary Stuart's best friends in Scotland, and Elizabeth's wisest Ministers at home, had now to address themselves.

Sir Robert Melville wrote directly to the Queen of England: — "What may yet fall out to the worst," he said, "I am in great doubt. Your Majesty may

1 Throgmorton to Cecil, July 26: *MSS. Scotland.*

be remembered that at my last being with your Highness I feared this extremity, and could give no better advice for my Sovereign's weal than by gentle dealing with these Lords, in whose hands lies both to save and to spill. The greater number be so bent on rigour against my mistress, that extremes had been used if your Highness's Ambassador had not been present, who did so utter both his wisdom and affection to her Majesty, that he only did put aside the present inconvenience, and did so procure the matter as both life and honour have been preserved." [1]

Preserved they were for the moment; but with the first move of an English soldier towards Scotland — with the first symptoms of an active intention to restore Mary Stuart to her throne by force — it was equally certain that they would not be preserved. The Lords would not expose themselves to the risk of any such contingency. Throgmorton, not daring to address his mistress herself, applied himself to Leicester. "He could but deplore," he said, "the dangerous discommodious opinion" in which her Majesty had fixed herself; an opinion which would be at once politically ruinous to England, and fatal to Mary Stuart herself. "Whether it was fear, fury, or zeal which had carried the Lords so far," he could not tell; but this he "could boldly affirm," "that nothing would so soon hasten her death as the doubt that the Lords might conceive of her redemption to liberty and authority by the Queen's Majesty's aid." [2]

In England, though with extreme difficulty and with but limited means, the Council were labouring to the same purpose. Elizabeth for a time seems to have

[1] Sir R. Melville to Elizabeth, July 29: *MSS. Scotland.*
[2] Throgmorton to Leicester, July 31: *MS.* Ibid.

been utterly ungovernable. Her imagination had painted a scheme in which she was to appear as a beneficent fairy coming out of the clouds to rescue an erring but unhappy sister, and restore her to her estate, with a wholesome lecture on her past misconduct. It was an attitude pleasing to her fancy and gratifying to her pride, and all was shattered to the ground. Throgmorton no longer even wished to see Mary Stuart. To read to her Elizabeth's admonition "appeared too hard, considering her calamity and temptation:" [1] and the proud Queen, who could never realise that the Scots were not her own subjects, writhed under her defeat.

Cecil, who understood his mistress best, ventured only quiet remonstrances "when opportunity offered itself," and modified the violence which he could not wholly check. Those who were at a distance from the Court were more outspoken. Sir Walter Mildmay "could not conceive what moved the Queen to strive against the stream, and trouble herself with unnecessary quarrels." The Earl of Bedford, from Berwick, remonstrated on grounds of public morality, and insisted on the practical mischief which was already resulting from it. Bothwell was still at large. The want of settled government in Scotland had let loose the Border thieves, who were his sworn friends and allies; on the 15th of July, "by procurement of the Earl of Bothwell, a thousand horse had crossed the marches and pillaged Northumberland;" yet because the Border thieves called themselves the Queen of Scots' friends, Elizabeth had distinctly forbidden the English marchers to retaliate. "The marchers," she had told Bedford, "could not be allowed to redress

[1] Throgmorton to Leicester, July 31: *MSS. Scotland.*

their own injuries;"[1] nor would she permit the regular forces at Berwick to redress them either, lest by the just execution of the Border laws, she should lend even this remote semblance of countenance to the Lords. The wardens all along the line from Carlisle to Berwick had written for instructions in anger and perplexity.[2] Never in all recent experience had the Border been in such confusion; yet Elizabeth's displeasure had been reserved for Bedford, whom she accused of having taken part against the Queen of Scots. The old Earl proudly acknowledged the truth of the charge. "Wishing the Lords well," he said, "I cannot but say that I have favoured them and their actions, because I see that it is good and honourable, and their Queen's doings abominable and to be detested."[3]

August.

It would have been well if Elizabeth had rested here; but after her conversation with Murray, and not liking the language in which he replied to her menaces, she ventured upon a step, which, if it had been likely to succeed — as in the end, and when circumstances changed, it succeeded but too fatally — might have created, and was intended to create, a civil war in Scotland. She had directed Throgmorton when she sent him on his commission, if he failed with the Confederate Lords, to address himself to the Hamiltons. She had been warned of the game which the Hamiltons were playing, but she believed that she could tempt them through their ambition to declare themselves for the Queen; and while Throgmorton was busy with the Lords, she attempted through some

[1] Elizabeth to Bedford, July 20: *Border MSS.*

[2] Scrope and Sir John Foster to Cecil, July, 1567; Bedford to Cecil, July 13; July 15; July 19: *MSS. Border.*

[3] Bedford to Throgmorton, August 4: *Conway MSS.*

other agent to work upon their adversaries. Her advances were not successful.

"I understand by a very sure friend," Bedford wrote to Cecil, "that her Majesty does work with the Hamiltons against the Lords, and that somewhat has been offered to them in that behalf. Her Majesty has spent much money to rid the French out of this country, and this is the next way to bring them in again, and breed her Majesty great disquietness in the end — what else I dare not say. Her Majesty is a wise princess, and you and the rest be wise councillors. As soon as the Hamiltons understood thereof they sent to the Lords and offered the sooner to agree; so that thus little was saved, for this was the way to have one Scotsman cut another's throat." [1]

The effect indicated by Bedford was brought more plainly before Throgmorton, who himself also knowing what Elizabeth expected of him, "had put out feelers in the same direction." [2] The Hamiltons, as Bedford truly said, immediately betrayed to the Lords the advances which had been made to them. So wild Elizabeth's movements seemed to both parties, that each assumed she must be influenced by some sinister motive. The Hamiltons imagined that she wished to weaken Scotland by a civil war; Maitland, who more respected her ability than her principles, suspected her of an insidious desire to provoke them to make thus an end of the Queen." [3]

[1] Bedford to Cecil, July —, 1567: *Border MSS.*

[2] On the 6th of August Leicester wrote to him to say that "her Majesty did will that he should make all search and enquiry to know what party might be made for the Queen, whether the house of Hamilton did stand for her or no, and that as much encouragement as was possible might be given to them for their better maintenance therein." — *Conway MSS.*

[3] Throgmorton, after the coronation, in obedience to orders from home, had given a severe message to Maitland. "Yea," saith he, "it is you that

Both concurred in believing that she meant ill to them and to Scotland, and, in consequence, instant and sinister overtures came in from all the noblemen who had hitherto held aloof from the Confederates. The true objects of the Hamiltons, long suspected, now began to show themselves. They cared nothing for the Queen; they cared much for the greatness of their house, and something they cared for Scotland. They had no humour to fill the country with blood to please their "auld enemies;" and if the Confederate Lords would resolve finally to abandon the detested alliance with England, return to their old traditions, accept France for their patron, and admit the Hamilton succession, the prisoner at Lochleven might cease to be a difficulty. Her life, in fact, was the only obstacle to an immediate union of parties. Were she once dead no question could be raised about her. So long as she lived there was the fear that she might one day be restored by Elizabeth; and if the Hamiltons came over to the Lords while this danger continued, "they would lose her thanks for their former well doings, incur as much danger as those who had been first and deepest in the action against her, and suffer most, having most to lose." "Let the Lords proceed," they said; "let them provide for themselves and such as would join with them, that they should come to no dangerous reckoning — (meaning thereby the dispatch of the Queen, for they said they could not honour two

seek to bring her death to pass, what shew soever the Queen your mistress and you do make to save her life and set her at liberty. The Hamiltons and you concur together — you have nothing in your mouths but liberty, and nothing less in your hearts. I have heard what you have said to me. I assure you if you should use this speech unto them which you do unto me, all the world could not save the Queen's life three days to an end — and as the case standeth, it will be much ado to save her life." — Throgmorton to Elizabeth, August 9: *MSS. Scotland.*

suns) — and it should not be long ere they would accord and run all one course." These were the words which on the 9th of August were reported to Throg morton by Murray of Tullibardine, as a communication which had been just received from the counter-confederacy at Hamilton Castle. Throgmorton had heard something of it before. The Archbishop was said to have promoted the Bothwell marriage merely to ruin the Queen; yet selfishness and baseness so profound seemed scarcely credible when laid out in black and white.

"Surely," Throgmorton said, "the Hamiltons could make more by the Queen's life than by her death. They might make a better bargain by marrying her to the Lord of Arbroath."

The alternative had been considered, Tullibardine replied, but after careful thought had been laid aside. "They saw not so good an outgate by this device as by the Queen's destruction; for she being taken away they accounted but the little King betwixt them and home. They loved not the Queen: they knew she had no great fancy to any of them, and they thus much feared her, the more because she was young and might have many children, which was the thing they would be rid of."

"My Lord," he continued, as he saw Throgmorton still half incredulous, "never take me for a true gentleman if this be not true that I tell you. The Archbishop of St. Andrew's and the Abbot of Kilwinning[1] have proposed this much to me within these forty-eight hours."[2]

The substantial truth of Tullibardine's words was

[1] Gawen Hamilton.

[2] Throgmorton to Elizabeth, August 9: *MSS. Scotland.*

easily ascertained. Both the Hamiltons and Lord Huntly had made the same proposals, had suggested the same measures through separate messengers; and perplexed and fatally disheartened, Throgmorton went once more to Mar and Maitland, on whose general moderation he believed that he could rely. From neither of them, however, could he gather any comfort. Mar told him that he would do what he could for the Queen in the way of persuasion, "but to save her life," he said, "by endangering her son or his estate, or by betraying my marrows, I will never do it, my Lord Ambassador, for all the gowd in the world." [1]

Maitland was scarcely less discouraging, and replied to his appeal with mournful bitterness.

"My Lord," he said, "we know all the good purposes which have passed between you and the Hamiltons and the Earl of Argyle and Huntly. You know how I have proceeded with you since your coming hither; I have given you the best advice I could to prevent extremity, and either the Queen your sovereign will not be advised, or you do forbear to advise her. I say unto you, as I am a Christian man, if we which have dealt in this action would consent to take the Queen's life from her, all the Lords which hold out and lie aloof from us would come and join with us within two days. My Lord Ambassador, if you should use the speech to the Lords which you do to me, all the world could not save the Queen's life three days to an end." [2]

At length, and after weary expostulations, Throgmorton succeeded in extracting a promise "that the

[1] Throgmorton to Leicester, August 9: *MSS. Scotland.*

[2] Throgmorton to Elizabeth, August 9; Throgmorton to Cecil, August 9: *MS.* Ibid.

woeful Queen should not die a violent death, unless some new accident occurred," before the coming of Murray, who was now daily expected. It was high time indeed for Murray to arrive. Two days after, there was a scene at Westminster, which, if the Lords had heard of it before Murray was on the spot to control them, would have been the signal for the final close of Mary Stuart's earthly sufferings. On the 11th of August, "at four o'clock in the afternoon," Elizabeth sent for Cecil, "and entered into a great offensive speech," reproaching him for having as yet contrived no means for the rescue or protection of the Queen of Scots. Cecil giving evasive answers, the Queen produced a letter which she required him to send to Throgmorton. It was to inform the Lords that whatever other Princes might do or forbear to do, she for herself, "if they continued to keep their sovereign in prison, or should do or devise anything that might touch her life or person, would revenge it to the uttermost upon such as should be in any wise guilty thereof." She told Cecil that she would immediately declare war. She insisted that Throgmorton should deliver her words as an immediate message from herself, and that "as roundly and as sharply as he could, for he could not express it with more vehemency than she did mean and intend." [1]

It was Cecil's duty to speak plainly, and furious as Elizabeth was, he did not hesitate. He exhausted every kind of direct argument. At length when nothing which he could say would move her, he suggested what Maitland had already hinted as the belief which was growing up in Scotland, "The malice of the world would say that she had used severity to the

[1] Elizabeth to Throgmorton, August 11: *Conway MSS.*

Lords to urge them to rid away the Queen." Such an interpretation of her conduct had not occurred to her. Full of her immediate object she had forgotten that her past artifices might recoil upon her when she least deserved it. She hesitated, and at the moment an opportune packet came in from Edinburgh assuring her that a single hostile move would be the Queen's death-warrant. Even this, and the too possible calumny, did not wholly convince her. She still insisted that her letter should be sent; but she so far modified her orders that she allowed the ambassador "to use discretion in the persons to whom it should be shown." She named Murray, who by this time she knew must have arrived, and Maitland, "in whom with the other she reposed most trust to preserve the Queen." [1]

She had counted rightly on Murray, though to his face she had abused and threatened him. One word from him, or no word — for his silence would have been enough — and his sister would have had as short a shrift as she had allowed to Darnley. The same 11th of August, while Elizabeth was storming at Westminster, he rode into Edinburgh uncertain whether to accept the Regency, to which he learnt at Berwick that he was to be raised; uncertain how to act on any side till he had seen his sister's letters with his own eyes — till he had spoken with his sister himself.

His selection as Regent spoke well for the intentions of the Confederates. He was the only prominent nobleman who had carried himself innocently and honourably through the wild doings of the past years. He was a Calvinist, yet he was too generous to be a fanatic, and the Catholic Courts in Europe respected the integrity which they had tried and failed to cor-

[1] Cecil to Throgmorton, August 11: *Conway MSS.*

rupt. His appointment would be unpalatable to the Hamiltons, yet they would find a difficulty in opposing it. In the minority of the sovereign they claimed the Regency by proximity of blood to the crown, yet until they had recognised the Queen's deposition they could not contend for the administration of her government; while the French, to whom they might have looked for support, were willing and eager to give their help to Murray — if Murray in turn would desert the English alliance.

And what cause had Murray to prefer the friendship of a sovereign who had betrayed him into rebellion, and then repudiated her own instructions — who had reproached him openly in her own court for conduct which she had herself invited him to pursue, and had then left him to bear as he might the consequences of having consented to serve her? Why should he prefer Elizabeth, who had even now dismissed him from her presence with menaces and "hard words," to Catherine de Medici and Charles, who had loaded him with honours, tempted him with presents, and were ready to support him with the armed hand of France in taking the place to which he was called by his country? It would seem as if he could have given no intelligible reason, except there were objects which he preferred to his own personal interest. The hand of France was still extended to him, and every practical difficulty would have been removed by his acceptance of it. Although he had stolen away from Paris, Catherine had shown no resentment. De Lignerolles overtook him between London and Berwick, but only to bring him a magnificent present, and to renew the offer of the pension which he had refused. While Elizabeth was flattering herself that Catherine would

go along with her; that troops which were reported to be assembling in Normandy under M. de Martigues were to be used in assisting her to crush the Confederate Lords, De Lignerolles accompanied Murray to Edinburgh, where he assured Throgmorton "that the whole Protestants of France would live and die in those men's quarrels;" that if De Martigues came, "it would be with a good force to succour them."[1] He explained distinctly that while his formal instructions were to intercede for the liberty of the Queen, yet if the Lords refused, "they being noblemen of another country, and not the King's subjects but his friends, the King could do no more but be sorry for his sister's misfortunes." He told Maitland "that the King his master was as careful for their safeties as they themselves could be, and to that end advised them to provide substantially. France cared only for the old league, and could be as well contented to take it of the little King as otherwise."[2]

It would have perhaps been better for the interests of Europe if the support thus offered by France had been accepted, if Murray's integrity had been less, or his political insight had been greater. If the Scotch noblemen, supported by the nearest relatives of the Queen, had brought her to trial for her crimes and publicly executed her, she at least would have ceased to be an element of European discord. Her claims on England and the question of her guilt would have at once and for ever been disposed of. The French Government would have insensibly committed themselves on the side of the Reformation, by uniting with a party who had been its great promoters in another country.

[1] Throgmorton to Cecil, August 12: *MSS. Scotland.*
[2] Ibid.

Their dependence upon the Guises would have been weakened; their connections with the Huguenots would have been drawn closer; the smouldering remnant of the Catholic faction in Scotland would have been extinguished; and England and France, no longer divided by creed, might have been drawn together with Scotland as a connecting link, and hand in hand have upheld in Europe the great interests of freedom.

Other consequences, it is true, might have followed. Mary Stuart, in life or death, was the pivot of many possibilities; and speculations "as to what might have been" are usually worthless; yet this particular result, looked at by the light of after events, appears so much more likely than any other, that the loss of an opportunity, which, if caught and used, might have prevented such tremendous misfortunes, cannot be passed over without some expression of regret.

For the two first days after Murray's arrival it seemed as if France would gain the day. He had left Elizabeth foaming with indignation at the conduct of the Lords; he knew that it would be idle to ask her to recognise a government of which he was the head; while Catherine was ready to receive a minister from him at the French Court, and Maitland was already spoken of as the person who was to be sent to Paris. When the casket and its contents were laid before him, "none spoke more bitterly against the tragedy and the players therein than Murray; none showed so little liking to such horrible sins."[1] He expressed "great commiseration towards his sister," and he hesitated about the Regency; yet it was clear that, in spite of Elizabeth, "he intended to take his fortune with

[1] Throgmorton to Cecil, August 12: *MSS. Scotland, Rolls House*

the Lords." He told Throgmorton that "he would not gladly live in Scotland if they should miscarry or abandon his friendship."

Before he formed a final resolution he insisted that he must see the Queen, and the Lords, after some hesitation, consented. He "showed himself much perplexed; honour and nature moving him one way, his duty to his friends and to religion drawing him the other." Time, at any rate, would be gained, and there was no longer a fear, as there had been a few days previously, that the Queen would be secretly murdered. Her friends could only hope that Elizabeth would give the Lords no fresh provocation, and would be brought to consider the situation more temperately.

"I trust," Throgmorton wrote on the 14th to Leicester, "that the woeful lady hath abidden the extremity of her affliction; and the way to amend her fortune is for the Queen's Majesty to deal in her speech more calmly than she doth, and likewise not to let them see that her Majesty will shake off all their friendship, for surely that will bring a dangerous issue. Scotland, and all the ablest and wisest of the nation, will become good French, which will breed and nourish a cumbrous sequel to her Majesty and her realm." [1]

Elizabeth too, on her side, was "perplexed," as reason alternated with passion. She was able to acknowledge Murray's difficulties, and she feared at times "he would be in more peril himself than be able to do anything for his sister; she doubted the matter to be so handled as he must either endanger himself or dishonour himself:" but she trusted that "he would

[1] *MSS. Scotland, Rolls House.*

show himself such an one as he seemed to her he would be." [1] That he would dishonour himself there was little likelihood, and for personal danger Murray cared as much for it as noble-minded men are in the habit of caring; but his position was one in which more than moral qualities were wanted. For the work cut out for him "he had too much of the milk of human kindness."

The curtain rises for a moment over the interior of Mary Stuart's prison-house. When the first rage had passed away, she had used the arms of which nothing could deprive her; she had flung over her gaolers the spell of that singular fascination which none who came in contact with her failed entirely to feel. She had charmed even the lady of Lochleven, to whose gentle qualities romance has been unjust; and, "by one means or another she had won the favour and goodwill of the most part of the house, as well men as women, whereby she had means to have intelligence, and was in some towardness to have escaped." [2] So alarming an evidence of what she might still do to cause disturbance of course increased her danger, and for the two weeks which followed she was confined a close prisoner in the rooms set apart for her use.

The island on which the castle stands was then something under an acre in extent. The castle itself consisted of the ordinary Scotch tower, a strong stone structure, five and twenty feet square, carried up for three or four stories. It formed one corner of a large court from ninety to a hundred feet across. The basement story was a flagged hall, which served at the same time for kitchen and guard-room. The two or

[1] Leicester to Throgmorton, August 6: *Conway MSS.*
[2] Throgmorton to Elizabeth, August 5: *MSS. Scotland.*

three rooms above it may have been set apart for the lord and lady and their female servants. The court was enclosed by a battlemented wall eighteen or twenty feet high, along the inner sides of which ran a series of low sheds and outhouses, where the servants, soldiers, and retainers littered in the straw. In the angle opposite the castle was a round turret, entered, like the main building, from the court; within it was something like an ordinary lime-kiln from seven to eight feet in diameter; the walls were five feet thick, formed of rough hewn stone rudely plastered, and pierced with long narrow slits for windows, through which nothing larger that a cat could pass, but which admitted daylight and glimpses of the lake and the hills. This again was divided into three rooms, one above the other; the height of each may have been six feet; in the lowest there was a fireplace, and the windows show marks of grooves, which it is to be hoped were fitted with glass. The communication from room to room must have been by ladders through holes in the floors, for there was no staircase outside, and no space for one within.

Here it was, in these three apartments, that the Queen of Scots passed the long months of her imprisonment. Decency must have been difficult in such a place, and cleanliness impossible. She had happily a tough healthy nature, which cared little for minor discomforts. At the worst she had as many luxuries as the wives and daughters of half the peers in Scotland. At her first coming she had been allowed to walk on the battlements and on the terrace outside the gate; but since her attempt to escape she had been strictly confined to her tower; and she was still a close prisoner there when, on the 15th of August, the Earl of

Murray, accompanied by Athol, Morton, and Lindsay, arrived at the island.

The brother and sister met without the presence of witnesses; and the character of the interview can be gathered from what one or the other cared to reveal. This only Throgmorton was able to tell. The Queen received Murray "with great passion and weeping," which however produced no effect. Murray understood her tears by this time as well as Knox. He sat with her for several hours, but he was cold and reserved. She was unable to infer from his words "either the ill which he had conceived of her or meant towards her." She tried to work upon his weakness, and she failed. But the meeting did not end there: in the evening, "after supper," they were again together, and then it seems that Murray spoke out his whole heart. Deep into the night, until "one of the clock," they remained; the young, beautiful, brilliant Queen of Scotland, fresh from acts

"That blurred the grace and blush of modesty," —

fresh from "the enseamed bed" of a brutal cutthroat, and the man in all the world who loved her as his father's daughter, who had no guilt upon his own heart, like so many of those who were clamouring for her death, to steel his heart towards her, who could make allowances only too great for the temptations by which she had been swept away.

"Plainly without disguising he did discover unto her all his opinions of her misgovernment, and laid before her all such disorders as might either touch her conscience, her honour, or her surety." "He behaved himself rather like a ghostly father unto her than like a councillor," and she for the time was touched or

seemed to be touched. Her letters had betrayed "the inmost part of her" too desperately for denial. "Sometimes," says Throgmorton, "she wept bitterly; sometimes she acknowledged her unadvisedness; some things she did confess plainly; some things she did excuse, some things she did extenuate."[1] What Throgmorton could not venture to report more plainly to Elizabeth, Lady Lennox added to the Spanish Ambassador: — "The Queen of Scots admitted to her brother that she knew the conspiracy for her husband's murder."[2]

He left her for the night, "in hope of nothing but God's mercy, willing her to seek to that as her chiefest refuge." Another interview in the morning ended less painfully. It has pleased the apologists of the Queen of Scots to pretend an entire acquaintance with Murray's motives; to insist that he had intended to terrify her, merely that she might again consent to make over the government to him. How, in the sense of these writers, the government of Scotland could have been an object of desire either to him or to any man, is less easy to explain. A less tempting prospect to personal ambition has been rarely offered, — a Regency without a revenue, over a country which was a moral, social, and religious chaos. He had the certain hatred of half the nobility before him if he allowed the Queen to live; the certain indignation and perhaps the open hostility of Elizabeth if he accepted the government; the imminent risk of an early and violent death.

[1] Throgmorton to Elizabeth, August 20: Keith.

[2] "Milady Margarita me ha enviado á decir que luego que el Conde de Murray llegó á Escocia fué á hablar á la Reyna la qual trató con el de su delibracion, encomandandole to que toca á su vida y negocios; y que la Reyna habia confesado que supó el trato de la muerte de su marido." — De Silva to Philip, August 30: *MS. Simancas.*

With these conditions before him, ambition, unless to save his sister, or at his own deadly peril to bring his country out of the anarchy in which it was weltering, could have had but little influence with Murray, and ambition such as that does not compass its ends with baseness.

He had forced her to see both her ignominy and her danger, but he would not leave her without some words of consolation. He told her that he would assure her life, and if possible he would shield her reputation, and prevent the publication of her letters. Liberty she could not have, neither would she do well at present "for many respects" to seek it. He did not wholly believe her professions of penitence: he warned her "that if she practised to disturb the peace of the realm, to make a faction in it, to escape from Lochleven, or to animate the Queen of England or the French King to trouble the realm;" finally, "if she persisted in her affection for Bothwell," — his power to protect her would be at an end. If, on the contrary, "she would acknowledge her faults to God; if she would lament her sins past, so as it might appear that she detested her former life and intended a better conversation and a more modest behaviour;" "if she would make it evident that she did abhor the murder of her husband, and did mislike her former life with Bothwell, and minded no revenge to the Lords and others who had sought her reformation," — all might yet be well, and she might hope eventually to recover her crown.

"She took him in her arms and kissed him." They spoke of the government: she knew that in his hands, and his only, her life would be in no danger, and she implored him not to refuse it He told her distinctly

the many objections — he knew that it would be a post of certain peril — but she pressed him, and he consented. Then "giving orders for her gentle treatment and all other good usage," he took his leave, with new fits of tears, kisses, and embraces.[1]

"Kisses and embraces!" and from that moment, as Mary Stuart had hated Murray before, so thenceforth she hated him with an intensity to which her past dislike was pale and colourless. He had held a mirror before her in which she had seen herself in her true depravity; he had shown her that he knew her as she was, and yet he spared her; while she played upon his affections she despised him as imbecile, and the injury of his kindness she never forgave.

Even in the eyes of men of the world his conduct was profoundly imprudent.

"The Earl of Murray," said James Melville, who understood Mary Stuart as well as he, "instead of comforting his sister, entered with her Majesty in reproaches, giving her such injurious language as was like to break her heart: we who blamed him for this lost his favour. The injuries were such as they cut the thread of love betwixt the Queen and him for ever."[2]

The men of the world would have killed her, or made friends with her: had Murray been as they he would have seen the force of the alternative, but he would not have fulfilled his duty better as an affectionate brother or a Christian nobleman.

Murray then was to be Regent, and the Queen of Scots' deposition was to be confirmed, with Elizabeth's pleasure or without. The state of Scotland demanded

[1] Throgmorton to Elizabeth, August 20.
[2] *Memoirs of Sir James Melville.*

it — his sister's safety demanded it, fume or fret as sovereign princes might at the example. The theory that when rulers misconduct themselves, subjects must complain to God, and if God took no notice must submit as to a divine scourge, was to find no acceptance. The study of the Old Testament had not led the Scots to any such conception of what God required of them. "The Lord Regent," reported Throgmorton, three days later, "will go more stoutly to work than any man hath done yet; for he seeks to imitate rather some who have led the people of Israel than any captain of our days. As I can learn, he meaneth to use no dallying, but either he will have obedience to this young King of all estates in this realm, or it shall cost him his life. He is resolved to defend the Lords and gentlemen that have taken this matter in hand, though all the princes in Christendom would band against them." [1]

Thus the difficulties which lay before him were not long in showing themselves. Since the Queen was to be allowed to live, the Hamiltons and their friends considered that they would best consult their own interests by holding aloof. Elizabeth, even before she heard that he had made his decision, sent him word that she would never recognise his government, and threatened him with "public ignominy." [2]

To the Hamiltons he replied, "that there should be no subject nor place within the realm exempted from the King's authority," or from obedience to himself as Regent there.[3] To Elizabeth he said, that his course "was now past deliberation," and "for ignominy and

[1] Throgmorton to Cecil, August 20: *MSS. Scotland.*
[2] Cecil to Throgmorton: *Conway MSS.*
[3] Throgmorton to Elizabeth, August 23.

calumniation, he had no other defence but the goodness of God, his upright conscience, and his intent to deal sincerely in his office. If that would not serve he had no more to say, for there was none other remedy but he must go through with the matter." [1]

Throgmorton asked him whether there was a hope that the Queen would be released. He replied that as long as Bothwell was at large and unpunished, it could not be spoken of, and "they would not merchandise for the bear's skin before they had caught the bear." The Queen's liberty would depend upon her own behaviour: "if she digested the punishment of the murderer," without betraying "any wrathful or revengeful mind," and if Elizabeth would seek the quiet of Scotland, and not endeavour to trouble him "by nourishing contrary factions," the Lords would be more compliant than for the present they were disposed to be.[2] Meanwhile her life and her reputation were for the present safe. The publication of the letters would, at any moment, serve as his complete defence against public censure; he would forbear from using this advantage as long as he was let alone; but Murray, or Maitland for him, warned the English Ambassador that if Elizabeth "made war upon them," "they would not lose their lives, have their lands forfeited, and be reputed rebels throughout the world, when they had the means in their hands to justify themselves, however sorry they might be for it." [3]

The gauntlet was thus thrown down to Elizabeth. If she hesitated to take it up, and to send an army by way of reply into Scotland, it was from no want of will to punish the audacious subjects who had dared to

[1] Throgmorton to Cecil, September 1: *MSS. Scotland.* [2] Ibid.
[3] Throgmorton to Elizabeth, August 22: Keith.

depose their sovereign. So angry was she that when Cecil and his friends remonstrated with her, she reproached them with themselves meditating disloyalty; and those Ministers who had laboured for years in drawing Scotland and England together, and smoothing the way for a more intimate union, saw their exertions shipwrecked against the Queen's theories of the sacredness of princes.[1] To avoid forcing Murray upon France, Cecil ventured to hint that she should receive a minister at the Court from him. She told Cecil he was a fool[2] for suggesting anything "so prejudicial to the Queen," and she sought a more congenial adviser in De Silva; who, however well he thought of Murray, and whatever ill he knew of the Queen of Scots, was too glad of an opportunity to encourage a quarrel among Protestants.

"The Queen," De Silva wrote, "assured me that she not only meant to set the Queen of Scots at liberty, but was determined to use all her power to punish the Confederate Lords. She said she would send some one to the King of France to tell him what she was

1 "The Queen's Majesty is in continual offence against all these Lords, and we here cannot move her Majesty to mitigate it, do what we can, or to move her to hide it more than she doth. But surely the more we deal in it the more danger some of us find in her indignation; and specially in conceiving that we are not dutifully minded to her Majesty as our Sovereign; and where such thorns be, it is no quiet treading. For howsoever her Majesty shall in this cause (touching her so nearly as it seemeth she conceiveth, though I trust without any just cause) be offended with my arguments, I will, after my opinions declared, obey her Majesty to do that which is my office. Very sorry I am to behold the likelihood of the loss of the fruit of seven or eight years' negociations with Scotland, and now to suffer a divorce between this realm and that, where neither of the countries shall take either good or pleasure thereof. If religion may remain, I trust the divorce shall be rather in words and terms than in hearts; and of this I have no great doubt." — Cecil to Throgmorton, August 20: *Conway MSS.*

2 "Noting in me no small folly." — *MS.* Ibid.

going to do, and to express her hope that other Princes would stand by her; especially, she told me, she depended upon our sovereign, the greatest of them all, meaning by these words your Majesty. Your Majesty, she was confident, would not allow the French to interfere in defence of the rebels.

"Every one," I replied, "would approve of such conduct on the part of her Highness in a just and honest cause. Your Majesty, I was quite sure, could be always relied upon by your friends, and above all by her Highness, to whom your Majesty had borne such peculiar good-will."

"She desired me not to repeat what she had said, for there were persons about her who for their own purpose did not agree with her views in the matter, and she did not wish them to know what she was going to do. She had spoken to me because she counted on my discretion, and because in all her communications with me, she had found me the truest friend that she possessed."[1]

As a step towards the intervention which she meditated, she had again made secret advances to the Hamiltons. She was aware of the proposals with which they had approached the Confederate Lords. She was aware that they were Catholic and French, and that in assisting them she was feeding the enemies of all for which her own Government had most carefully laboured to encourage. Yet if they would form a party for the Queen and against Murray, other drawbacks were trivial in comparison.

They, at all events, had no objection to receive Elizabeth's money. Maitland said they would take it and laugh at her. Throgmorton thought that any how

[1] De Silva to Philip, August —: *MS. Simancas.*

it would be utterly thrown away.[1] But the Hamiltons intimated as much readiness to meet her wishes as would ensure her supplying them. They selected Lord Herries, a smooth-tongued plausible person, to make arrangements either with Elizabeth in person, if she would allow him to come to London, or with any person whom she would depute to meet him on the Borders.[2]

She was prudent enough to refrain from receiving him herself, and she commissioned Lord Scrope, the governor of Carlisle, who was more than half a Catholic, to represent her. She sent Herries 3000 marks,[3] and, both through Scrope and Throgmorton, she gave the Hamiltons to understand that "she allowed their proceedings" in resisting Murray, and would uphold them to the utmost of her power. September.

[1] "As to the Hamiltons and their faction," "their conditions be such, their behaviour so inordinate, the most of them so unable, their living so vicious, their fidelity so fickle, their party so weak, as I count it lost whatsoever is bestowed upon them." — Throgmorton to Cecil, August 20: *MSS. Scotland.*

[2] The Archbishop of St. Andrew's, the Lords Fleming, Arbroath, and Boyd to Throgmorton, August 19: *MSS. Scotland.*

As the name of Lord Herries will occur frequently in the following pages, the following account of him will not be out of place: —

"The Lord Herries is the cunning horseleech and the wisest of the whole faction, but, as the Queen of Scotland saith, there is no one can be sure of him. He taketh pleasure to bear all the world in hand. Here among his own countrymen he is noted to be the most cautelous man of his nation. It may like you to remember that he suffered his own hostages, the hostages of the Lairds of Lochinvar and Garlies, his next neighbours, to be hanged for promises broken by him. Thus much I speak because he is the likeliest and the most dangerous man to enchant you." — Throgmorton to Cecil, August 20.

Bedford's opinion was much the same: —

"I hear," he wrote, "that the Lord Herries desireth to come up to the Queen's Majesty. He is the subtlest and falsest man for practice that is in Scotland." — Bedford to Cecil, August —: *Border MSS.*

[3] Sir James Melville to Throgmorton, September 10: *MSS. Scotland.*

Mary Stuart's misdoings, however, were too recent to allow a party as yet to form itself which could openly take the field in her cause. Elizabeth would have lighted up a civil war if she could. The Hamiltons, Argyle, Huntly, Fleming, and several other noblemen, met at Glasgow at the beginning of September, to consider what could be done; but "the more they disputed the greater difficulty they found."[1] Argyle was offered the lieutenancy of the federation, but he refused, and, with Gawen Hamilton and Lord Boyd, "made his peace" with Murray. Herries told Scrope, that "he could not be sure of four persons besides himself to stand firmly on the Queen's side."[2] The opportunity was gone, he said, or was not yet come. On returning from the Borders he followed the example of his friends, and on the 15th of September, Murray was able to tell the English Ambassador, not without some irony, "that the noblemen who had stood out had all at last submitted; so that he praised God there appeared no break in the whole wall."

Elizabeth could but digest her disappointment and the loss of her money as best she could. She of course recalled her Minister. De Lignerolles had returned to Paris loaded with presents. Throgmorton took his leave, happy only in his ill success, and was allowed to accept nothing. In obedience to orders, when offered the usual compliments, he said "that he would take anything which the Queen of Scotland might be pleased to give him; he could receive no present from a King who had attained that honour by injuring his mother." He was told briefly that "such

[1] *MSS. Scotland.*

[2] Scrope to Cecil, September 12: *Border MSS.*

expressions did but breed contention to no purpose. He had better say no more and go his way." [1]

The administrative relations between the two countries were left in confusion. Bedford was forbidden to recognise the commissions of the Scottish wardens — running as they did in James's name — and had to manage the Borders as he could. Scrope, at Elizabeth's secret command, continued to correspond with Herries, and Herries, who was on the point of leaving Scotland and giving up the game, consented to remain. The Hamiltons professed to have yielded from an inability to believe that the English Government could seriously pursue a policy so contrary to English interests. Could they be assured "that her Grace would enter into the matter," they promised to hold themselves in readiness, watch their opportunities, and endeavour to the best of their ability to carry out her wishes.

So were the seeds sown of those miserable feuds, which for five years harassed the hearths and homes of Scotland — which made for ever impossible that more temperate spirit, which but for this might have softened the rigours of Calvinism — which caused the eventual ruin of the person whose interests Elizabeth was intending to serve, by tempting her to take refuge in the dominions of a sovereign who was so persistently pretending to be her friend.

Meanwhile the Regent was left with a few months of quiet, to show the world the happier fate which might have been in store for Scotland, had Cecil's counsels and Bedford's stormy protests found a listener in the Queen.

Tullibardine and Kirkaldy of Grange set out in pur-

[1] Throgmorton to Cecil, September —: *MSS. Scotland.*

suit of Bothwell, who when the country began to settle had fled from Dunbar to his dukedom in the Orkneys, and was there leading the wild life of a pirate chieftain. Being warned of their coming, he crossed to the Shetlands, and there among the narrow channels and inlets he was at his last shift, when Grange's ship, in hot pursuit of him, ran upon a rock. Grange sprang into a boat to continue the chase, but the vessel was sinking, and he could not leave his crew to drown. The occasion of so much confusion and misery made his way to Denmark, where the King long protected him in expectation that Mary Stuart would be restored, and afterwards threw him into prison, where he died. His pursuers returned to Leith, having missed their principal prey, but having taken many of his followers; among others the young Laird of Tallo, who, with Hepburn, fired the train in the house at Kirk-a-Field.

November. The Regent set himself to the solid work of restoring the majesty of justice and extinguishing the anarchy which was reducing the noble kingdom of the Stuarts to a second Ireland. The first sufferers were the Border thieves, who had given so much trouble to the English wardens. Stooping down unexpectedly "on market day" at Hawick, he seized six-and-thirty of them, hot-handed in their iniquities. Thirteen were promptly hanged; nine, with stones about their necks, were sent to the bottom of the nearest pool; fourteen were taken off to Edinburgh, and for some months at least the peaceful traders could carry a full purse through Liddisdale.[1]

Elizabeth on her side had her hands full of vexations and troubles of another sort, which explain if they do not excuse her violence and perverseness. The pow-

[1] Sir William Drury to Cecil, November 3: *MSS. Scotland.*

erful party which, in Parliament and out of it, had so long advocated the Queen of Scots' succession, though disorganized by Darnley's death, had not been destroyed. The Queen of Scots' participation in the murder was known as yet only through rumour, and the many Catholics who had so long looked upon her as their one stay and hope, could not easily part with so dear an expectation. The Confederate Lords had from the first determined if they spared her life to respect her reputation, and beyond the circle of those who were admitted to state secrets, men affirmed her guilt or denied it according to the complexion of their creed. While the attitude which would be assumed by Elizabeth was yet uncertain, the Archbishop of Glasgow had been able to tell Don Francis de Alava, that if the Queen of England supported the Lords, she would have a war upon her hands at home with which all the world would ring.[1] And all over the northern counties disguised priests were gliding from house to house, "under colour of religion," pouring out eloquent sentiment about the lost faith of their fathers, already representing the Lochleven prisoner as a suffering Saint; and "by their lewd practices" "seducing good subjects through their own simplicity into error and disloyalty." [2]

Nor as yet was the Established Church successful in gaining the allegiance of the country generally. While the Catholics were encroaching on one side of the Via

[1] Alava to Philip, July 26: Teulet, Vol. V.

[2] The Queen to the Bishop of Chester, February 3, 1568; The Queen to the Earl of Derby, February 3; The Queen to the Sheriff of Lancashire, February 21: *Domestic MSS. Rolls House.* Among the persons named as "busy" in these doings were Allen afterwards Cardinal, Vance ex-warden of Winchester, Murray who had been chaplain to Bonner, Marshal late Dean of Christ Church, Hargrave late vicar of Blackbourne, and "one Norris terming himself a physician."

Media, the Puritans were denouncing it upon the other. The prosecutions of the London clergy had hardened the sufferers and multiplied their followers, and the Bishops were denounced as "imps of Antichrist, with whom it was sinful to hold communion." The clergy were generally taking wives, and the Queen, as little as ever able to reconcile herself to it, caught eagerly at every scandalous report, true or false, which was brought to her.[1]

The Church of England as by law constituted, gave no pleasure to the earnest of any way of thinking. To the ultra Protestants it was no better than Romanism; to the Catholics or partial Catholics it was in schism from the communion of Christendom; while the great middle party, the common sense of the country, of whom Elizabeth was the representative, were uneasy and dissatisfied. They could see no defined principle in the new constitution which had borne the test of time, and they were watching with an anxiety which they did not care to conceal, both the extravagances of the Protestant refugees from the Continent, with whom London was swarming, and the recovering energy of the Catholic Powers abroad. In Spain and

[1] Deans and canons were the most guilty in the Queen's eyes. She had endeavoured to preserve at least these as types of the true spiritual order; and in some instances they had misappropriated the property of the Church to the use of their families. A charge of this kind had been brought against the Dean and Chapter of Canterbury, and had particularly exasperated her. It was perhaps exaggerated. Parker writes on the 12th of August, "I have information from Canterbury church of the Dean there, of whom so great information was made that he had sold and divided such a huge quantity of plate and vestry ornaments that it is no marvel though Pope Hildebrand's spirit walketh furiously abroad to slander the poor married estate. Credit is so ready to believe the worst. Sed qui habitat in cœlis irridebit eos. The broken plate and bullion found in the church he, with consent of all the Chapter, converted to the church uses only." — Parker to Cecil, August 12, 1567: *Domestic MSS.*

Italy the faint beginnings of the Reformation had been trampled out. Germany was torpid. In France, though there was a momentary lull in the struggle, and the Court were inclining to the Huguenots, yet there was no sign as yet of the growth of any strong national feeling which would hold in check the violence of the two factions. Two deadly enemies who had tried each other's strength were watching an opportunity to renew the conflict at advantage, with a hate which was deepening every hour. Of the Netherlands the condition will be described hereafter more particularly. It is enough to say that the crown of Spain and the popular leaders had come at last to an open breach. At the time that Mary Stuart was taken prisoner at Carberry Hill, the Duke of Alva was bringing a Spanish army to Brussels to overwhelm liberty and heresy in a common destruction, and Philip the Second was expected there in the autumn to superintend the consummation in person.

It was easy to foresee the effect which would be produced upon the English Catholics by the presence, in their immediate neighbourhood, of the Spanish sovereign, once England's titular King, to whom they had so long looked for guidance and help, at the head of a large body of victorious troops — absolutely victorious, as it was assumed they must be in the unequal struggle which was before them.[1] It seemed but too likely

[1] The excitement was naturally greatest in the North. On the 20th of December a letter to Lord Pembroke says, "I hear by Mr. Garrard, the recorder of Chester, that there is in Lancashire a great number of gentlemen and others of the best sort — it is reputed 500 — that have taken a solemn oath among themselves that they will not come at the communion nor receive the sacrament during the Queen's Majesty's reign, whom God long preserve, besides other matters concluded amongst them not certainly known but only to themselves. Whatever the matter be, they seem to rejoice greatly at the report of the King coming — as if they should thereby

that England would drift into the condition of France, and that in spite of the efforts of the Government, a war of creeds was at no great distance.

Amidst so many elements of disquiet all parties in Elizabeth's Council — Cecil as well as the Duke of Norfolk, Sir Francis Knollys as well as Arundel and Sussex — turned their minds again to devise means by which the foreign relations of the country could be reëstablished, and one chief cause of dissatisfaction be removed at home. The Queen's marriage question had now for some time been allowed to sleep. The Queen of Scots' succession had come gradually to be looked upon as a certainty. The Catholics had set their hearts upon it as the term of their own sufferings. The political advantages contingent upon the union of the crowns had reconciled the body of the nation to the accession of a stranger, and Elizabeth's own inclinations had long pointed in the same direction. The murder of Darnley had revived the old uncertainties. Even men like Arundel and Norfolk had not as yet recovered sufficiently from the shock of that transaction to contemplate Mary Stuart's accession as any longer a possibility, and once more it became necessary to reopen the weary grievance.

While Leicester had not even yet wholly abandoned hopes,[1] the Council had gone back to Charles of Aus-

be made able to take order for the setting up of their Popish kingdom, and rooting out of Lutherans and heretics as they term who please them." — R. Hurleston to the Earl of Pembroke, December 20: *Domestic MSS.*

[1] In April the lovers were communicating with "tokens," and "metaphors." Leicester had complained of Elizabeth's "extreme rigour." Elizabeth had called him "a cameleon which changed into all colours save innocency." "At the sight of his cypher, the Black Heart, she had shown sundry affections." "She had commended the manner of his writing," perhaps as Olivia commended Malvolio's yellow stockings; with much else of a half-serious, half-mocking kind; which Leicester's friends watched anxiously, and sent him daily reports of. — Throgmorton to Leicester, May 9: *Domestic MSS.*

tria, the alliance which every day made more desirable for a sovereign in Elizabeth's position. Married to Charles, she would be at once out of danger from Spain.

The Archduke at the court of his father and brother had learned the principles of moderation, which the necessities of their position imposed upon the Emperors of Germany. Himself a Catholic, he had learned to tolerate without difficulty the Lutheranism of the Augsburg Confession, and the efforts, both of the Queen and the higher classes in England, were to keep the Church as near as possible to the Augsburg theology, and to steer it clear of the Genevan channel into which the more earnest Reformers were rapidly setting. Having been trifled with for seven years, the Emperor could not have been expected to make further advances. If the subject was to be reopened, the initiative might naturally have been taken by England. But the English Ministers could not obtain permission from Elizabeth to do more than indicate that if Maximilian would begin she would not again disappoint him. Maximilian made slight informal overtures, and in May Lord Sussex was chosen to go to Vienna to carry the Garter to the Emperor, and arrange, if possible, the conditions of the marriage.

Very reluctantly Elizabeth had been brought so far upon the way. A month elapsed before she could resolve on the form of Sussex's instructions, and almost a second before she could allow him to set out. At last, in the middle of July, while the Queen of Scots was in so much danger at Lochleven, she permitted him to go, and on the 9th of August he was at Vienna.

This time she was supposed to be serious. So agi-

tated was Catherine de Medici that she at once renewed her offer of Charles IX., and even offered to restore Calais if she would take him. Elizabeth said briefly she could not make herself ridiculous,[1] and she alarmed Catherine still more by her unusual decision.

The history of this last earnest effort to bring about the Austrian marriage throws so sharp a light into the undercurrents of English feeling, that it is worth while to follow it closely.

The first point in the instructions which Sussex at last received, was on his behaviour at the presentation of the Garter. Those high ceremonies were always accompanied with a religious service. Sussex was forbidden to be present at mass, but he was to suggest that the investiture should take place in the afternoon; and he might attend vespers "with safety to his conscience." Making the best excuses which he could for Elizabeth's past treatment of the Archduke, he was then to say when he opened his commission, that —

"Whatever might by report or otherwise come to his Majesty's ears to the contrary, the Queen was still free to marry whenever God should move her, and although she had been for many years of mind not to enter into marriage, yet the great necessity which her subjects laid upon her had brought her, contrary to her natural inclination, to give ear to the Emperor's motion." Other proposals had been made to her, but she had ever preferred the Archduke to her other suitors, and she now trusted that if certain difficulties could be overcome, the marriage might be finally concluded.

[1] "Le offreciéron á Calais si se hiciese el matrimonio. La Reyna dixó que no dará lugar que el mundo vea una comedia tan graciosa como una visja y un niño á la puerta de la Iglesia." — De Silva to Philip, July 9.

The Emperor had intimated that his brother would expect permission to have Catholic service in his household. "Many inconveniences had happened in other countries from maintaining contrariety of religion," and in England, though there had been many changes, "there was never allowed any contrariety therein at one time." "England differed in that from all other states that it could not suffer those diversities of religion which others were seen to do." It was to be hoped therefore that the Archduke would be content with the English Liturgy. There was nothing in it which was not in Scripture, and no one calling himself a Christian need dislike any part of it. He and every man might think what they pleased. "The law touched no man's conscience, so as public order was not violated by external act or teaching." The country had been so far peaceably governed under this system, and it could not be altered.

So reasonable this view of the matter appeared to Elizabeth, that she did not anticipate the possibility of a difficulty being made about it, unless the negotiations should come to nothing on other grounds. The Archduke had been himself heard to say, "alleging what troubles might come of diversities of religion, that he would not only forbear to hear mass in England, but would adventure his blood upon any that should move disturbance in the realm upon that occasion." "At all events," the Queen said, "it would touch her reputation to change her laws for a marriage, and the example would breed more trouble than could well be remedied." The Archduke had better come to England and see, and be seen; and Sussex was directed "to use private persuasions" to induce him to return with the embassy. September.

The religious difficulty was in reality nothing but an excuse. Elizabeth, however, pretended to be sincerely anxious that the treaty should go forward, and the objection to allowing a Catholic service was so far well grounded, that the Spanish Ambassador had said again and again that the first mass said publicly in England would be a signal for a general insurrection. And it is clear that what Elizabeth said was not regarded as in any sense fatally conclusive. Whether the Archduke had or had not used the words imputed to him, he at least paused to consider. Eventually, neither he nor the Emperor would undertake the responsibility of a decision till they had sent to consult Philip.

October. While a messenger therefore was despatched to Spain, Sussex remained in state at Vienna, "fed every day with spiced dishes from the Imperial table," and "dainty fruits from the gardens at Schönbrunn." It was not till the 24th of October that the Austrian Government — in possession at last of Philip's views — were in a position to enter upon the question.

Maximilian declined to interfere, and left the decision to his brother. The Archduke said at once that he could not go to England to be looked at, and then, if the Queen did not like him, to find himself cast aside on this pretext of religion. He was afraid that religion would be made use of to cover less producible objections, and insisted on seeing his way clearly before going further. Sussex said, "that although he had not her Majesty's eyes, whereby he might judge of features that would best like her, he felt assured that she would find no just cause to satisfy the world why she should after sight mislike him." But the Archduke had been long trifled with. He chose to

know where he was standing, and if he went to England, Elizabeth should either accept him or be forced into the discourtesy of passing a personal slight upon the Imperial House. He said he would not give up his religion, but he was willing to abandon the open profession of it. He must hear mass, but it should be either privately in his room, or anywhere that the Queen might choose to appoint, and the world should know nothing of it. This was his only condition. If it were conceded, he would accompany the embassy to the English Court.

Lord Sussex, who believed the marriage indispensable to Elizabeth's safety, reported the Archduke's words, and added a hope that before she decided, "God would send her Majesty good advice." If her consent would be dangerous to the Reformed faith; if public scandal were likely to arise from it, no true friend to England, he said, would advise her to yield. If the real objections were taken away by the secresy, and there remained only "an imaginary danger, not grounded upon reason," then "he that should dissuade her from an alliance which alone could defend her from many certain perils, would do an ill deed towards God, her Majesty, and the Realm." [1]

So Sussex wrote to the Queen. With Cecil he was more explicit. The Archduke, he said, would allow no Englishman to attend the Catholic service or know that it existed. He promised "to be advised by the Queen if public offence should grow of it." He would himself accompany her to the services of the Established Church; and he stipulated only that if he went to England, and if on seeing him she disliked his person, she should not betray the engagements which

[1] Sussex to Elizabeth, October 24: *MSS. Germany, Rolls House.*

he had offered to make. Sussex pointed out to Cecil what Cecil knew as well as he — the pleasure which the marriage would give throughout England; the hope of issue, "with the avoiding of bloodshed in a disputed succession;" the security to the Queen's throne; the advantages to herself "of the companionship of a virtuous Prince;" "the satisfaction of the nobility;" the prospects which it would bring with it of universal peace in Europe; the probability of the Prince's conversion, and the effect which that conversion would produce on the spread of the Gospel.

"Without it," he concluded, — and his words are most significant, — "I foresee discontent, disunion, bloodshed of her people — perhaps in her own time, for this cause, and the ruin of the realm in the end; which bloody time threateneth little respect of religion but much malice and revenge for private ambition on all sides; which many by wilful blindness for other respects will not see, and yet put on spectacles to search a scruple under colour of religion."[1]

No words could have expressed more clearly the conviction which was forcing itself upon Elizabeth's statesmen, that the quiet which she had hitherto enjoyed was not to last much longer, and that some dangerous convulsion or other was fast approaching. The disasters of the Queen of Scots were hastening the crisis. The Catholics had been patient in the expectation of the Scottish succession. Their cause was gaining ground everywhere in Europe. They had themselves been recruiting their numbers and recovering strength and confidence through the fear or the reluctance of the Queen to allow the laws to be enforced against them. They would not

November.

[1] Sussex to Cecil, October 27: *MSS. Germany, Rolls House.*

sit still under their disappointment, and if the succession question was to remain an open sore, they would be drawn into intrigue, conspiracy, and rebellion. In his concluding words, Sussex evidently referred to Elizabeth's evil genius, the Earl of Leicester, who, when it served his turn, had been ready to swear by Philip and the Council of Trent, and who now, it seemed, had changed colours. In resentment at the determined hostility of the Catholic noblemen, Leicester had gone over to the Puritans, carrying or seeming to carry the Earl of Pembroke along with him.[1] Caring only for his own miserable self, he had divided the Council upon the marriage with the cry of "Popery;" frightened the bishops; and set on Jewel to stir the passions of the London mob.[2]

A Protestant panic was systematically kindled. The deposed Catholic prelates were placed in straiter confinement.[3] Suspected houses in London were searched, and strangers found there were made to

[1] "Lo que mas aprieta los Catolicos es ver que el Conde de Leicester se ha mucho confirmado en la heregia; y que le sigue el Conde de Pembroke á quien han tenido por Catolico." — De Silva to Philip, December 1: *MS. Simancas.*

[2] "For the news which I know you are most anxious to hear of — which is of the Duke Charles, and of my Lord of Sussex's proceedings therein, there is and hath been such working to overthrow that, as the like hath not been — which is pitiful to hear of. The Council here at this present are in manner divided touching the same, and it is made a matter of religion, and they say they do it for conscience' sake. But God knoweth what conscience is in them which go about to hinder it. My Lord of Leicester, my Lord Steward (Pembroke), my Lord Marquis (of Northampton), and the Vice Chamberlain (Sir T. Heneage), be against his coming in. . . . . My Lord Chamberlain (Lord Howard of Effingham), my Lord Admiral (Lord Clinton), Mr. Secretary (Cecil), and Mr. Controller (Sir James Crofts), do wish his coming in. Whereupon Jewel made a sermon at Paul's Cross upon Sunday was sennight, his theme being — 'Cursed be he that goeth about to build again the walls of Jericho' — meaning thereby the bringing in of any doctrine contrary to this." — Sir G. S. to the Earl of Derby: *Domestic MSS., Rolls House.*

[3] De Silva to Philip, November 1: *MS. Simancas.*

give account of themselves and their religion. English Catholics, who had attended mass at the Spanish Ambassador's chapel, were arrested and imprisoned.[1] De Silva himself was supposed to have a concealed band of two thousand assassins ready to take arms. The judges were called before the Star Chamber, and ordered to enforce the laws against all persons found possessed of books of Romish theology. Magistrates, and all other officials, were summoned to the bishops' courts, and offered the oath of allegiance; and steps were taken to eject all persons suspected of holding Catholic opinions out of the Royal household. Elizabeth remained passive. The excitement might be useful to her if she were to decide on rejecting the Archduke. When De Silva complained, she professed ignorance of what was going on, and promised to put a stop to it; but nothing was done, and she was so suspicious and sensitive, that he scarcely dared approach the subject with her.

The irritation was at its height, when a report was spread that Philip had sailed for the Low Countries, that he was coming to England by the way, and might any day arrive at Portsmouth. What it meant none could tell. Lord Montague was directed to hold himself in readiness "to wait on the King" with all commodity for his refreshing, and Sir Adrian Poynings was sent down with troops to be ready "for all events."[2]

[1] De Silva to Philip, December 1.

[2] "The King of Spain on his way to the Low Countries may pass through the narrow seas and perhaps touch at Portsmouth — and because that town is a town of fortifications, and not so furnished with men as this case happening were meet and convenient for all events, three hundred men to be well sorted and appointed to attend upon Sir Adrian Poynings, and be disposed in places near about the town where they may be in readiness to be speedily sent for and used as the said captain shall think meet." — Directions to Sir Adrian Poynings. August 27: *Domestic MSS.*

The possibility of his coming had been foreseen as early as August. The beacons were trimmed, the coasts were armed, and corps of matchlock volunteers had been formed along the Channel shores, with privileges and exemptions, and prizes to encourage them to practise shooting.[1]

Many of these precautions, as wise in themselves, were encouraged by Cecil — yet he exerted himself none the less to thwart the unexpressed purpose for which the panic was excited. True to the original principles of Henry VIII.'s reformation, the main body of the English nation had no sympathy with revolutionary fanaticism. They adhered to the political traditions, and the alliance with Spain. They looked coldly on the Huguenots; coldly on "the beggars" of Flanders who had risen in arms to shake off the Inqui-

[1] "In the port towns along the south and west from Newcastle to Plymouth a corps to be formed of 4000 harquebuss-men, to be taken from the artificers of each town, between the ages of 18 and 30, to be duly exercised and held ready for service when called upon. Every member of the corps to receive four pounds a year — out of the which at his own cost to provide a morion, a good substantial harquebuss, with a compass stock of such bore that every three shots may weigh one ounce; flask, touch-box, sword and dagger — a jerkin of cloth, open at the sides and sleeves, with a hood of the same cloth fastened to the collar of the same jerkin.

"The Queen to provide ammunition.

"For the better alluring of men to the service, the persons joining to have certain immunities, estimations, and liberties" — as "to be called Harquebuss-men of the Crown — to wear a scutcheon of silver with a harquebuss under a crown, and to be promised preferment in garrisons royal as places should fall vacant; to be free of the towns where they dwell; to pay no tenths, fifteenths, nor subsidies; to be free from all town rates and from muster-rolls except their own; to have liberty to shoot at certain fowl, with respect of time and place, and without hail shot. The magistrates to provide each year public games of shooting; the best prizes to be of twenty shillings at least, the second fifteen shillings, and every man's adventure to be but sixpence.

"An old soldier in every town to be sergeant. The use of the bow to be continued in villages — and pleasant means to be used to draw the youth thereunto." — Order for the encouragement of Harquebuss-men, November 3, 1567: *Domestic MSS. Rolls House.*

sition. Genevan Protestantism was not to be established in England without a civil war; and Cecil, good reformer as he was, was a better Englishman. When the Archduke's proposals arrived, the advocates of the marriage all considered that he had asked for nothing which ought not to be granted to him. "My good-will to the match" — the Duke of Norfolk wrote to Cecil on the 15th of November — "remains as firm as ever it was, and by the reasonable demand of the Archduke is more increased. There is no Prince of his calling, of his understanding, that would of himself, by advice, yield further upon uncertainty than as I think by his offer he doth. If it were granted in the form that he requires it, I see not that any so great hurt shall grow thereby, as we are sure the whole realm is like to incur if her Majesty's marriage with this Prince, in whom our whole hope consists, should break off, and thereby leave the whole realm desperate both of marriage and succession — the danger whereof you and I, as also the well-wishers both to her Majesty and the realm, did so lately see and fear. If the matter may come to indifferent hearing, there will be as earnest Protestants that will maintain it, making not religion a cloke for every shower, as the other, perhaps for private practices naming one thing or minding another, will show reason to overthrow it." [1]

"The private practices" unfortunately had a formidable advocate in Elizabeth herself. Elizabeth was never so good a Protestant as when religious zeal could save her from marriage, and Leicester's suit was never listened to more favourably than when his pretensions might serve to interrupt another man's. Four weeks of irresolution intervened before she would decide

[1] The Duke of Norfolk to Cecil, November 15: *Domestic MSS.*

what to say. The influences which were brought to bear upon her can be gathered only from the anxieties of the Archduke's supporters, who saw their hopes failing them.

A second mysterious letter of the Duke's, on the 24th, implies certainly that Leicester was being too successful. "If matters being hot be so soon cooled," he said, "I pray God there grow no danger to them that you and I have much care of. I like not the practices that now so fast work. My ears have glowed to hear that I have heard within these two days concerning nuptial devices. First they mind to fight with their malicious tongues, and afterwards I warrant they will not spare weapons if they may."[1]

Bad news too had been sent by Cecil to Vienna. "If Protestants be but Protestants," wrote Sussex in reply, "I mistrust not a good resolution. If some Protestants have a second interest which they cloke with religion, and place be given to their council, God defend the Queen's Majesty with His mighty hand, and dispose of us all at His pleasure. It seemeth to me good reason and council that the Queen's Majesty should look to her own surety. God, if He have not forsaken us, will direct all to the best, and send her good council herein. And if He have forsaken us and will suffer our ruin, as I have done my best to procure the Queen's Majesty's marriage in this place, for conscience' sake — only, I take God to record, to defend her from peril — so if by the breach thereof her peril grow, I will end as I have begun, and spend my life in her defence how soon soever I be driven thereunto."[2]

Elizabeth, in resisting the importunacy of her early

[1] Norfolk to Cecil, November 24: *Domestic MSS.*

[2] Sussex to Cecil, December 19: *MSS. Germany, Rolls House.*

Parliaments on the subject of her marriage, had admitted that circumstances might occur which would require so great sacrifice at her hands. If it presented itself in the form of a duty, she had intimated that she would not then be found wanting in fulfilling her obligations to her subjects. That time had come — if ever it was to come. The wisest of her advisers were now making a final effort to prevent the imminent collision of parties and principles, certain to take place if she died — but too likely in her own lifetime, unless something was done to give hope of an undisputed succession. They failed; for what reason curiosity may speculate. "The hearts of princes are unsearchable," and the heart of Elizabeth was more intricate than those of most of her order. She hoped to conciliate the Catholics by playing tricks in Scotland, and to make her own sovereign person sacred in their eyes by declaring herself the champion of Mary Stuart;[1] and the result was a chain of conspiracies in which she was the perpetual mark for assassination.

With the Archduke she was in her old difficulty. She knew that she ought to accept him. While the sacrifice was distant, she believed

December.

1 "Archbishop Parker extracted out of his two Catholic prisoners Dr. Boxall, and Thirlby, the ex-bishop of Ely, a general condemnation of rebellion under all circumstances, except the one which the Archbishop forgot to mention — when the Prince to be resisted was excommunicated by the Pope. Parker invited them to dinner, and asked them afterwards to give their opinion whether subjects were justified, under any circumstances, in taking arms against their sovereign. Of course they gave the answers which were expected of them. The Apostles, they said, had always obeyed the Roman Emperors, and no Christians except such wicked heretics as Calvin, had held any other view about it" — De Silva to Philip, November 1, 1567. The Catholic doctrine on the subject was an extremely convenient one. When a sovereign was deposed by the Pope, he ceased to be a sovereign. But the Bishop of Ely had forgotten that responsibility of Princes to their subjects had been preached in the broadest sense by Reginald Pole.

herself capable of making it; as it drew nearer, her constitutional dislike of marriage, and the excellences of the adored Leicester, unnerved her resolution. The letters of Sussex were in London on the 10th of November; on the 11th of December Elizabeth collected herself to reply.

She had grave doubts, she said, whether the mass was not an offence against God. She could not go against her conscience, and even could she be satisfied that there would be no sin in complying, the political objections seemed unsurmountable. Secresy was impossible; at all events she could not consent without consulting the Peers. "God had so far prospered her by keeping England in peace, while Scotland, France, and Flanders were torn by war; and she minded still to please Him by continuing her whole realm in one manner of religion." At the same time she was extremely anxious that the treaty should not be broken off: she could not concede the point in the form in which it had been placed before her; but "it might be otherwise qualified with circumstances to avoid the danger." If the Archduke could be induced to come over, the question could be settled in a few words. She desired Sussex to assure the Emperor how much she valued his friendship. If the one difficulty could be got over, "she declared that she so entertained the marriage that nothing else could stop it, God Almighty assisting the same:" and at all events, the Archduke for the time of his stay in England "should have the free exercise of his religion in such convenient form as he required."[1]

It seems that this last most reasonable condition had been distinctly insisted upon by Philip: without it the

[1] Elizabeth to Sussex, December 11: *MSS. Germany.*

Archduke could not possibly comply with her invitation. Had he received the promise given in these distinct words, he would in a few hours have been on his way to England; and, had he once arrived, Elizabeth would have found it extremely difficult to escape from the marriage. She possibly felt this; for before the courier could leave, she had introduced a qualifying clause into the letter which at once destroyed the confidence that her language otherwise would have reasonably created. Her suitor was to be allowed the use of his religion only "so far as should be found possible."

The Archduke on receiving this message replied at once that he could not stir without a distinct engagement. Sussex employed all his eloquence to remove his scruples. He said that there were so many people at home who were interested in preventing the marriage, that if he stood out he would give them a formidable advantage. If the Archduke would only accompany him everything would be done which he desired, and all objections would be removed. Lord Sussex insisted that he was too good a friend to the House of Austria to mislead him on such a point, or affect more certainty than he felt. But the Archduke was peremptory. If there was no other objection, he could not displease the King of Spain. Maximilian was generally gracious; the Archduke was affectionate and confidential; but so far as insisting that at least during the first visit to England the Queen's expectant husband should not be made a heretic prematurely, they were both immovable.

December to January.

In the pause which followed, an accidental circumstance of some importance required Sussex's presence in England. Leicester, as he well knew, was at the

bottom of the whole difficulty; and he believed that he could better counteract this pernicious influence in person. The occasion of his return was the close, in death, of the long illness of Lady Catherine Grey. This poor lady had been guilty of being by the will of Henry VIII. the next heir to the English crown. She had been the object of the political schemes of all parties in turn who hoped to make use of her; and she had committed the imprudence (as will be remembered) of contracting a secret marriage with Lord Hertford, which had furnished an excuse for her perpetual imprisonment. She had sunk at length under hard treatment and separation from her husband, and had died a victim partly to the Queen's jealousy and partly to the hard conditions of the times. She had left two boys behind her of ambiguous legitimacy, and Sussex was required to assist in discussing the difficult questions which arose upon her decease. The settlement of the Austrian alliance, however, was of far deeper moment: to this, on his arrival in England, he immediately addressed himself; and understanding well in what quarter he could alone work successfully, he went directly to Leicester.

He believed that his remonstrances were not wholly thrown away. Leicester pretended to be moved; but there were still doubts, manœuvres, and deceptions. De Silva had long been satisfied that the Queen was insincere from the beginning, and Sussex found but too surely that De Silva was right. If the pains which he had taken ended in nothing — if Leicester deceived him, and the Queen allowed herself to be misled by sinister persuasions into betraying the interests of the country — the Earl said he would publish to the world the names of those who had occasioned the failure;

the whole realm should know who the persons were that had laboured so fatally for its ruin.[1] Events moved too quickly to allow him to accomplish his threat. The negotiations dropped once more and died away, and when years after Elizabeth would have again played the same game, the Archduke refused to be any more the toy of her caprice, and gave his hand elsewhere. The calamities followed which Sussex had foreseen. Half the English peerage drifted into treason — the Catholics became the tools of the Jesuits, and Lord Surrey's son followed his father to the scaffold.

The uncertainty of the succession, which had been the prime occasion of Queen Catherine's divorce, of the rupture with Rome, of Henry's matrimonial disasters, was still the root of the reviving agitation. The Catholics could have found no party to support them in an insurrection, had the political stability of the country been otherwise assured; and had the Catholics remained quiet, there would have been no persecution of them to bring down the thunder of the Vatican and to provoke the long-suffering of Spain. The anxiety of Philip for the restoration of the authority of Rome, great as it legitimately was, was not so great as his desire to maintain a firm and moderate government in England; and Elizabeth might have remained in her own creed, undisturbed by interference from the Catholic Powers, if the internal peace had not been broken by discontents of which religion was but the secondary cause.

One aspect of Elizabeth as she sailed along on the surface of this seething ocean — the eyes with which she looked around upon it, the language in which she

[1] De Silva to Philip, March 20, 1568: *MS. Simancas.*

talked about herself, her prospects, the attitude of foreign Powers, and her own marriage — may be seen in a letter of De Silva's, written while she affected to be in suspense, before the return of Sussex, and after the rumours had been dispelled of the immediate coming of Philip.

DE SILVA TO PHILIP II.

"*January* 17.

"I waited upon the Queen yesterday in behalf of your Majesty. I told her that your Majesty was in good health, at which she expressed a lively pleasure. She asked about the state of Flanders: I informed her that I had received the most satisfactory assurances from the Duke of Alva and others in authority there, and that all was quiet. January.

"She then said that reports had reached her of some league of confederation, supposed to exist between the Pope, the Emperor, your Majesty, the King of France, and other Christian Princes, the object of which was the settlement of religion, and in consequence, with a special direction against herself. Her subjects believed — she took care to tell me that she herself did not — that your Majesty was coming yourself to England, to give her trouble and to force her back into submission to the Pope.

"I said that I was surprised at her listening to such extravagant nonsense. Those reports were circulated by persons who wished to cause estrangement between your Majesty and herself; to lead her to suspect your Majesty who had always been her friend, and to commit herself to the support of a fanatical party who would entangle her in a course of action by which she would forfeit the good-will with which your Majesty regarded her. Your Majesty might be willing at all

times to resume your personal happy relations with her; but these persons sought to force her into a position where your Majesty could not befriend her without first exacting satisfaction, and where she herself would be unable to credit your Majesty with the kind feelings towards her which in fact you entertained.

"'The story was,' she said, 'that as soon as order had been restored in France, your Majesty, the Emperor, and the French King intended to send a formal deputation to her, to request her to give up her religion and return to communion with Rome; to say that she had no right to make herself singular; that while England remained in schism, the rest of Europe would never be at peace; and that if she refused to consent, they would be forced to take arms against her, and make over her crown to some other person.'

"'She did not think this likely,' she said, 'but if they tried any such game, they would find that she knew how to defend herself.' She spoke with as much spirit as if the danger was already at her door.

"I told her it was all baseless nonsense — your Majesty was her good friend, and would never be anything else, unless she herself gave occasion for it, which I was sure she would not do. Your Majesty did not covet other Princes' dominions, least of all hers.

"'It was not pretended,' she replied, 'that your Majesty aimed at anything beyond restoring the old religion. No other reason, she was well aware, would so far influence your Majesty.'

"I said everything I could think of to quiet her. Your Majesty, I reminded her, had shown in all your actions that the chief object of your life was to resist the Turks, the common enemy of Christendom, and to

be able to give account to God and the world of the countries which God had committed to your special charge. You meddled nowhere else, and had no wish to cause trouble and disturbance among your neighbours' subjects. This had been the uniform practice both of your Majesty and your predecessors, and I told her as her friend that she ought not to lend her ears to any such idle slanders. Especially, I trusted she would take no ill-considered step which might compel your Majesty to change your attitude towards her. She should not let herself be misled by those who made it their business to stir up sedition and move rebellion against Princes. I assured her positively that your Majesty would never injure her, or allow her to be injured. As to her religion, the Catholic Princes were not without good hopes of her. Your Majesty, for the love which you bore towards her, desired naturally to see her adopt what you believed to be the true creed; but your Majesty was not the keeper of her conscience, and you would not expose yourself to the inconveniences which would arise from the dissolution of your alliance with England.

"This, I think, satisfied her, for she turned to other subjects. Doubtless there are accursed people about her Court who feed her with suspicions — restless, malicious creatures on all sides of her. I advised her to be cautious with them, or they would bring her into trouble. Her business, I told her, was to preserve peace at home, and not to quarrel with her friends abroad. She confessed at last that those who most worried her were those whom she had most obliged, and who ought to have helped her in her difficulties. I said it was just what I expected. The Catholics were her firmest support, because the Catholics, as

might be seen everywhere, were obedient to their Princes." [1]

It is necessary to insist that De Silva, in his account of Philip's feelings towards Elizabeth, was speaking the exact truth. Spain had endured a thousand injuries from the English buccaneers, for which no reparation had been made, and none was likely to be obtained; yet sooner than quarrel with Elizabeth and break an alliance which his present relations with the Netherlands made more than ever necessary to him, he submitted to intolerable wrong; he bore with his sister-in-law's heresy; he stood between her and the Pope; he was deaf to the clamours of her Catholic subjects, believing, or trying to believe, that the grace of God might at last work upon her. When he received De Silva's account of the conversation, he approved with undisguised emphasis of all which had been said in his name. "He was," he said, "and he always would be, the sincere friend of that poor Princess, who he trusted would at no distant period return to her senses, and for whose conversion he would never to cease to labour." [2]

[1] De Silva to Philip, January 17: *MS. Simancas*
[2] Philip to De Silva, February, 1568: *MS.* Ibid.

CHAPTER XV.

In the first measures directed against the Queen of Scots, Catholic and Protestant had acted together. She had outraged her old friends by having consented to be married with Calvinistic forms. Of the Reformers not one had been deluded to her side by her seeming apostasy from Rome. The establishment of the Government of the Earl of Murray threw back the two parties into their natural antagonism. The disaffected noblemen might seem to submit, but their hostility to the Regent, if unavowed, was no less determined. As the Queen had not been put to death, her restoration, at least to liberty, was regarded by every one as, sooner or later, inevitable; and as the Hamiltons saw themselves cut off from the advantages which they expected from her destruction, it remained to them to make the best of their position, to fall back on the alternative which Throgmorton supposed that they would have originally preferred. They resolved to carry out the scheme for which they had called the unsuccessful meeting at Glasgow, to refuse to recognise the abdication, and as soon as Bothwell could be disposed of by death or divorce, to make a fourth husband for Mary Stuart out of the Lord of Arbroath, the heir-presumptive of their house. While, therefore, Argyle, Huntly, Herries, and the rest of their friends made terms with Murray, Arbroath himself, with his uncle the Archbishop of St. Andrew's and Lord Flem-

ing, shut themselves up in Dumbarton, calculating either on the eventual armed support of Elizabeth, or on some turn in the revolving wheel of French politics which would bring the Court under the control of the Guises. The Duke of Chatelherault remained in Paris, representing steadily to Catherine de Medici that it was to him and his family, and not to the Protestants, that France must look for the recovery of its hold upon Scotland. Parties would subside into their proper relations as soon as Elizabeth's preposterous attitude should end, as end it must. Elizabeth was for the present threatening the Scotch Reformers in the hope of pleasing Spain and her own Catholic subjects; while the French Court was supporting them under Huguenot influence, because the Huguenots looked for popularity in France by bringing back the Scots to their old alliance. But all this was but temporary — a mere eddy in the real stream; and Catherine was but deluding herself if she expected that tendencies so utterly anomalous would in the end prevail. So the Duke argued, not altogether with success. Catherine, like her husband Henry, was indifferent which party among her subjects she made use of, so France gained strength by it; and there was a sympathy between the Scotch Calvinists and the Huguenots which both refused to the colder ritualism of England. She preferred to watch and wait till Elizabeth perhaps might drive Murray into accepting the hand which so far she had held out to him in vain.[1]

[1] Elizabeth's principal difficulty in raising a party for the Queen in Scotland arose from a doubt whether she would be able to act upon her own feelings, however strong they might be. On the 20th of September Herries wrote to Lord Scrope: — "I have received writings from my Lords of St. Andrew's and Arbroath in answer to Sir N. Throgmorton's letters. Because they are not sure of the Queen's Grace's mind, your Sovereign, they

In spite of the Hamiltons' incredulity, Elizabeth persisted till she had all but produced this very result. As if to prove that she was sincere in her present professions, she proposed to Catherine to unite with her in closing the ports of both France and England against the Scots — that "the people being letted from their traffic," might rise against the Government.[1] Catherine of course refused. Elizabeth found that if she moved she must move alone; and either the agitated condition of her own country, her own prudence, or the refusal of the Council to countenance hostilities, held her back from committing herself by overt interference. She gave general assurances to the Hamiltons, which prevented them from surrendering Dumbarton; but at this point she restrained herself, and Murray felt himself growing daily stronger in his seat. The sale of part of the Queen's jewels gave him funds for his immediate necessities.[2]

So far as his ability reached "he dealt very roundly

dare not be plain. Howbeit it is the thing they most desire, and if they may see help, assuredly they will do their utter power."

And again, September 21: —

"If there be any hope the Queen's Majesty of England will take to do in this cause, I pray your Lordship advertise me. I believe if her Grace would enter into the matter, the Regent and the Lords neither would nor durst refuse such appointment as her Highness thought good should be made, if it were but only they understood she would bend her mind to have it so: *except they understand the nobility of England would not assist the Queen therein.*" — *Border MSS. September*, 1567.

[1] Elizabeth to Sir H. Norris, September 27. Printed in Keith.

[2] Every step in Murray's administration — and therefore this among the rest — has been a subject for historical reprobation. Yet the sale in itself would seem too simple to require to be defended. Mary Stuart was held to have forfeited her crown, and in justice to have forfeited her life. She left behind her jewels of great value, an empty treasury, and a country in a state of anarchy. The Regent, with the consent of the Scotch Parliament, availed himself of a resource which he could use without distressing the people. . . No secret was made of it. "The Regent," Sir Wm. Drury wrote on the 30th of September, "is very bare of money. The Queen's

and sharply." The Earls of Argyle and Huntly raised no difficulties, and opposed him in nothing; the country settled into quiet, and Mary Stuart herself ceased to complain of her confinement. Fascinating the household of Lochleven, and even winning over by her charms the austere mother of the Regent, she recovered her health and her spirits. Those who had been loudest in their outcries against her began to soften and make excuses for her errors.[1] The reaction of feeling which Maitland had foretold to Throgmorton as a reason for severity, set in even sooner than it was expected. She became, in the severe language of the Puritan Bedford, "merry and wanton;"[2] and in default of other occupation, she amused her lonely hours with the adoration of the younger brother of the Lord of the Castle, George Douglas.[3] "The Regent made fair weather with her," as a step towards

jewels shall to gage, if not sold outright, if a chapman or a lender upon reasonable interest may be gotten." — *Border MSS.* 1567.

A case of pearls was brought to London in the spring of 1568. After some hesitation, they were purchased for 12,000 crowns by Elizabeth; and she, too, has fallen in for her share of consequent obloquy. The proceeding seemed so little improper to Catherine de Medici that she wrote to her ambassador in England in the following words: — "Quant au bagues de la Reyne d'Escosse, et desquelles la Reyne d'Angleterre a retenu les perles, comme vous m'avez despuis mandé, il n'est plus de besoing de vous mectre en pique; pour ce que je desire qu'elle les retienne toutes comme il est bien raisonable: et si je les avoiz je les luy envoyerois." — La Reyne Mère à M. de la Forest, May 21. Cf. M. de la Forest à la Reyne Mère, May 2 and May 15: Teulet Vol. II.

Elizabeth afterwards called Murray to account for the remainder. Murray answered: "This I may boldly affirm unto your Highness, that neither I nor any friend of mine has been enriched with the value of a groat of any her goods to our private uses. Neither, as God knows, did the ground and occasion of any of my actions proceed of sic a mind." — Murray to Elizabeth, October 6, 1568: *MSS. Scotland.*

[1] Drury to Cecil, September 30.

[2] Bedford to Cecil, October 23: *Border MSS.*

[3] Drury to Cecil, November 28: *MS.* Ibid.

restoring her to liberty;[1] and Scotland was already forgetting its indignation in sentimental compassion.

Nor was there even wanting a more legitimate cause for the revulsion. The guilt of the murder had been rested wholly on Bothwell and the Queen. As the persons concerned in it were successively caught and examined, many great names appeared in their confessions, as more or less implicated, and such facts could not wholly be concealed from the world. Bonds were mentioned, which unfortunately were still in existence, signed by the most powerful of the nobility. Hepburn of Bolton, one of the last of Bothwell's servants who had been brought to trial, spoke distinctly to have seen one of them. Ormiston, another of the murderers, swore to the same names; and Hepburn charged Sir James Balfour with having contrived the whole conspiracy. Whatever care might be taken to keep these depositions secret, it was impossible to prevent some hints of what they contained from leaking out; and men began to ask why, when so many were guilty, the Queen should have been left to bear the burden alone?[2]

A measure, which the Lords had not intended, but which circumstances forced upon them, aggravated the growing feeling. The deposition of a sovereign, the coronation of a child, the constitution of a Regency, made it necessary that Parliament should meet. The reviving sympathy with the Queen made every one who had taken part in the revolution anxious to provide for his safety; and with regard to the murder itself, there was a general de- December.

[1] Drury to Cecil, November 28: *Border MSS.*

[2] Avisos de Escocia que envia el Embajador Guzman De Silva: *MS. Simancas.*

sire, in which Murray probably shared, to punish Bothwell and his instruments, but to drop a veil over the guilt of others whose acquiescence in his government was essential to its stability.

The famous casket which, till Murray's return from France, had been in the hands of Morton, was by him on the 16th of September placed in the charge of the Regent. The Regent undertook that the letters and writings which it contained should "always be ready and forthcoming to the Earl of Morton and the remaining noblemen that entered into the quarrel," in case the world should call on them "to manifest the ground and equity of their proceedings."[1] The writings which it was desirable to keep were those only which affected the Queen and Bothwell. If, as there is reason to believe, the Craigmillar Bond was in the casket also, the destruction of it was as much a matter of moment to those whose names were written on it as the preservation of the rest. Hepburn, on the scaffold, mentioned the Bond, and insisted that it would be found, if Bothwell's papers were searched.[2] It would be asked for, and the existence of it was dangerous to all parties, for Huntly's and Argyle's names were on it as well as Maitland's. The Parliament was to open in December. A preliminary meeting of the Lords was held at the end of November. Their first act, as Sir William Drury on the 28th informed Cecil, was to reduce the dangerous document to ashes.[3] The act itself was eminently natural. To have per-

[1] Records of the Scottish Council, printed in Anderson's *Collection.*

[2] Avisos de Escocia: *MS. Simancas.*

[3] "The writing which did comprehend the names and consents of the chiefs for the murdering of the King is turned to ashes; the same that concerns the Queen's part kept to be shewn."—Drury to Cecil, November 28: *Border MSS.*

mitted it, may pass for a blot on Murray's escutcheon, if the paper was ever in his hands; more probably, it was never allowed to reach his eyes. Yet even if it was done with his fullest consent, his conduct might well be defended. To punish every one who was tainted with complicity in the murder was simply impossible. To attempt it would be to break up the Government, to surrender Scotland to civil war, to foreign invasion, and to a future in which nothing was certain but its misery. In the people who were rising into power beyond the circle of the Lords, there was a fervid and deep-toned religion — but it was Calvinism in its hardest form, — Calvinism moulded in the fiercest Israelitish pattern, fierce, ruthless, and unmanageable. The nobles themselves were, for the most part, without God, creed, or principle; while England and France — keen observers of all that passed — were ready, each or both of them, to step in on the first sign of internal confusion. There was still in Scotland a small minority of wise, upright, noble-minded men, who would have stood by Murray had there been any chance that Murray could himself stand if he took another course. But to do this he must have been able to say to Elizabeth, "Thus I am placed, and thus is Scotland placed; help us through these dark entanglements, and earn the gratitude of every Scot who has the fear of God in his heart." Such words would have found a response in Cecil; but he might as well, and well he knew it, have tried to melt with his eloquence the rock of Edinburgh Castle as the English Queen. To the modern student, the guilt of all parties who were implicated in Darnley's murder appears very much the same. To those who were bred up in that wild age and life, a stab with a

dirk was an ordinary exodus out of life, an ordinary feature of passionate revenge; while the conspiracy of a faithless wife and the assassination of an inconvenient husband were crimes which had been always infamous.

The Lords would, perhaps, have extended the amnesty to the Queen, and Murray obviously wished that this should be done; yet the exigencies and the danger of the other culprits again prevented even justice. The Lords were liable to be called in question by the European Powers for dethroning their sovereign. The union among themselves — ill-cemented as it was — might dissolve, or a revolution might restore Mary Stuart to the throne, by the aid of one or other of the many factions among themselves. Their mutual security required that they should all commit themselves to an approval of the Queen's dethronement, and to a formal statement of the grounds on which it had been carried out. They were ready to defend, as they called it, the Queen's honour; to keep secret among themselves the proofs which they possessed of her criminality; but they could afford no mysteries one towards the other; and it seemed impossible, with a sufficient regard to their own safety, to avoid passing some formal censures upon her. A second meeting was held on the 4th of December to consider how, in case the Queen's deposition should be approved in Parliament, "perfect law and security might be had" for those who were concerned in forcing it upon her. Among the persons present were Murray, Glencairn, Semple, Grange, — of all the Protestant leaders the least capable of dishonourable conduct. Maitland and Balfour were there also, the two who had most to conceal. The Regent was already shrinking from Mait-

land, not liking his "politic" and crooked ways,[1] but he could not do without him; and "after long reasoning, no other way" to their object could be found, but, as they said, "by opening and revealing the truth and ground of the whole matter, from the beginning, plainly and uprightly." "So far as the manifestation thereof might tend to the dishonour of the Queen, they were most loath to enter on it;" but "the sincerity of their intention could not otherwise be made known;" "there was so much uncertainty at home and abroad" that "the world could by no means be satisfied of the righteousness of their quarrel;" "God would suffer no wickedness to be hid, and all actions founded not on the simple and naked truth had no continuance nor stability." [2]

The crime which Maitland had contemplated was so different from, and, as he regarded it, so much more innocent than, that which had been actually perpetrated, that he may have employed this language without any scruple of conscience. The publication itself was no more than he had told the English Ambassador that Elizabeth would force upon them.

The Parliament met on the 15th of December. Four bishops, fourteen abbots, twelve earls, fifteen lords, three eldest sons of earls, and thirty "burrows" were present; a number of the representatives of the Commons without precedent in Scotch history. A series of Acts embodying the resolutions of the Coun-

[1] Throgmorton, writing to Sir Robert Melville, deplores the growing differences between them. "Maitland," he said, was a man of great ability, and the Regent "wronged himself in not making larger use of his services. He admitted, however, that Maitland had an "intolerably" high opinion of himself, and desired to dictate in everything according to worldly policy, while the Regent endeavoured "to direct all his conduct immediately by the Word of God." — Throgmorton to Melville, May 6, 1568: Teulet, Vol. II.

[2] Act of Secret Council, December 4: Burghley *Papers*, Vol. I.

cil were prepared by the Lords of the Articles — among whom were Huntly and Argyle.[1]

The abdication at Lochleven, the coronation of James, and the Regency of Murray were successively declared to have been lawful; and lastly, in an Act "anent the retention of their sovereign Lord's mother's person," the genuineness of the evidence by which her share in the murder was proved was accepted as beyond doubt or question. When the measure was laid before Parliament, Lord Herries, with one or two others, protested, not against the truth of the charges, but "against an Act which was prejudicial to the honour, power, and estate of the Queen."[2] But their objections were overruled. The Acts were passed; the last and most important declaring "that the taking of arms by the Lords and Barons, the apprehension of the Queen's person, and generally all other things spoken and done by them to that effect, since the 10th of February last period, were caused by the said Queen's own default." "It was most certain, from divers her privy letters, written wholly with her own hand to the Earl of Bothwell, and by her ungodly and dishonourable proceeding to a pretended marriage

[1] The share taken by these two noblemen in preparing the Acts of this Parliament have an important bearing on the authenticity of the Casket Letters. The letters formed the chief ground on which one of the Acts was based. Lord Huntly was repeatedly mentioned in them, with details of his conduct, which could have been known to no one but himself and the Queen; and had no such conversations taken place as the Queen described, no one could have contradicted them more easily. Argyle and he indeed, declared that their assent was conditional on the Queen's acquiescence, and they published a statement in which they accused Murray of having been privy to the murder: yet they said nothing about a forgery of the letters, which, if real, they could not but have known; and had they been able to prove — had they been able even plausibly to assert — that there had been foul play against the Queen, the whole of Europe would at once have declared on her side.

[2] Herries to Mary Stuart: Teulet, Vol. II. p. 387.

with him, that she was privy art and part of the device and deed of the murder, and therefore justly deserved whatever had been done to her. Indirect counsel and means had been used to hold back the knowledge of the truth, yet all men were fully persuaded in their hearts of the authors and devisers of the fact. The nobility perceiving the Queen so thrall and so blindly affectionate to the private appetite of the tyrant, and perceiving also that both he and she had conspired together such horrible cruelty, they had at length taken up arms to punish them." [1]

January. At first it was proposed to send a copy of this Act to the Courts of France, Spain, England, and the Empire, to accompany it not with the letters, but with the independent evidence of those who had directly accused the Queen — for instance, with Hepburn's [2] — and to enquire what, in the opinion of the great Powers, was the conduct they ought to pursue. Had their hands been clean they might have done it. Mary Stuart's cause would have been judged freely by her peers, and her name would have vanished out of history; but the experiment, except in part, was too dangerous to risk.

Having done with the Queen, the Parliament went

[1] Acts of Parliament begun at Edinburgh, December 15: Anderson's *Collection.*

[2] "Juan Hepburn de Bolton ha acusado á la Reyna del homicidio, y los Señores tienen determinado de enviar á todos los grandes Principes asi á la Reyna como á todos los demas de la X^dad, para tener su parecer ado proceder attento el delicto de la muerte de su marido." Hepburn's evidence as it is published, does not touch the Queen. It was found perhaps that if sent it must be sent entire, and that he had told too much. There was already dissatisfaction in Scotland at the supposed mutilation of Hepburn's depositions. Men asked, "porque Juan Hepburn de Bolton y los otros no fuéron compelidos á declarar publicamente la manera de la muerte del Rey, y quienes fuéron los que consintiéron en ella." —Avisos de Escocia, 7 de Enero, 1568: *MS. Simancas.*

on to reënact the great measure of 1560 for the establishment of the Kirk. Here it was that the reaction of the last seven years became conspicuous, and the opposition to the Regent, which barely showed itself in the interest of the Queen, appeared in formidable dimensions. The Catholic noblemen might have been conciliated with toleration, but toleration formed no part of Murray's or any other sincere creed in the 16th century. He insisted that the Catholic religion should be prohibited under pain of death in all parts of Scotland; and he carried his point, but at a heavy cost. Caithness and Athol, and the Bishop of Murray, spoke freely and indignantly for the rights of conscience; and the large minority which supported them went over in a body at the close of the session to the side of disaffection and the Hamiltons.

Compromises there indeed were; but compromises which sought to save the purity of the faith at the expense of honour and integrity. The Acts against the Queen proposed to tell the whole truth, and told but half of it. A Commission was appointed to consider the limits of the Jurisdiction of the Kirk. Maitland, who believed in nothing, and Balfour, who had been rewarded for his treachery to Bothwell by the Priory of Pittenweem, sate upon it by the side of Knox, and Craig, and Spotswood. The strangeness of the picture received a new touch in the public shame which the General Assembly dared to inflict on the proudest of the Scotch nobles, and which the great McCallummore consented to accept at its hands. To punish the Bishop of Murray for his conduct in Parliament, a charge of adultery was brought against him, for which he stood in sackcloth in the Chapel Royal at Stirling during the service. "At his side stood the Earl of

Argyle, in like raiment, for the like offence;" and the Countess of Argyle also, the Regent's sister, "for having slandered the Kirk in assisting at the baptism of the King in Papistical manner." [1]

The most confident historian may well distrust his ability either to understand or to reproduce the temper of an age in which such a scene was possible. The public disgrace of high-born sinners, however, could hardly have assisted in producing the peace for which so much else was sacrificed; and something of the storm about to break over Scotland may be traced to an absence of worldly wisdom in the new-born Church.

Nevertheless neither the political nor the spiritual mischiefs which resulted from the Parliament were immediately visible. The Regent seemed to have tided over his most pressing difficulties. The great nobles were outwardly on good terms with him; a marriage was talked of between his daughter and a son of Lord Huntly, and between Lady Murray's sister and a brother of Argyle. The session closed on the 29th of December. On the 3d of January Dalgleish, Powrie, Hepburn, and Hay of Tallo were hanged and quartered. A day or two after Nicholas Elphinstone, Murray's confidential secretary, carried copies of the Acts to Elizabeth, with explanations, so far as explanation was possible, of the grounds on which they had been passed. Elizabeth's anger would now have had time to cool, and it was hoped that on a quiet view of the situation she would be induced to take Scotland under her protection, acknowledge the

[1] Avisos de Escocia, 7 Enero: *MS. Simancas.* Report of the General Assembly, December 25: Calderwood.

Regency, and win the heart of the whole nation by adopting James as her own successor.[1]

For his sister Murray's hope was that by some obscure marriage she might at once disappoint the Hamiltons and give security to the country for her future behaviour. His mother had looked with interested favour on the intimacy which was growing between her younger son and the Queen. Mary Stuart, either to relieve the lassitude of her confinement, or more probably to secure the services of a devoted slave to assist her escape, had allowed Lady Douglas to believe that she was thinking seriously of taking him for her husband, and Lady Douglas was entirely willing that he should be promoted to so questionable an honour. The Regent, however, more aware than his mother of the construction which the world would place on such an arrangement, refused to hear of it. George Douglas was sent from the castle to pine, lovesick, into treason, and the Regent cast his thoughts upon Lord Methuen, grandson of the Methuen who was the third husband of Margaret Tudor, as a person whose insignificance would keep Mary Stuart in the shade, and hold down her restlessness in innocent retirement.[2]

But neither was the Queen of Scots to be disposed of by any such placid arrangement, nor was Murray to reap so quiet a harvest from the seed which had been sown at the Parliament. A doubt was gathering over his probity through the concealment of Bothwell's accomplices; and the noble families of Scotland were eager to revolt against the despotic assumptions of the

[1] M. de la Forest au Roy, February 2, 1568: Teulet, Vol. II.

[2] De Silva to Philip, April 24, 1568: *MS. Simancas.* Drury to Cecil, April, 1568: *Border MSS*

Kirk. The severity of Murray's administration made an enemy of every man who had cause to fear the hand of justice. Elizabeth resisted his advances with a steadiness which forced him, in spite of himself, to look to France at last for support;[1] but his application came at a time when the returning influence of the Guises was inclining Catherine once more to the side of her daughter-in-law.

Cecil continued to press on Elizabeth the prudence of maintaining the young king, but Elizabeth remained impracticable. Cecil, in his own letters to Murray, durst not give him the title of Regent, and rumour, busy in aggravating the differences between Murray's party and England, reported that the Earl had taken offence at the slight upon his dignity.[2] There was no fear that Murray and Cecil would permanently misunderstand each other, but the Queen would allow no kind of approach between the Governments of the two countries. Elpinstone went to and fro with messages and counter-messages, but Elizabeth recognised him only so far as to buy the Queen of Scots' pearls of him; and, at length, to consent that the Wardens of the English Marches should transact business with the *de facto* administration. Towards Elphinstone him-

[1] In April Murray sent an agent to Paris to tell the Queen Mother and the King that, except for the hope that they would assist him, he would never have undertaken the government. He undertook to maintain the French alliance, and begged that none of the Queen's French connexions should be allowed to come over to trouble the peace of Scotland. — Mémorandum d'un agent de Murray, envoyé vers le Roy de France et la Reine Mère: Teulet, Vol. II. p. 349.

[2] Murray, when the story reached him, wrote: "For style or title, I am, praise to God, nothing curious or ambitious of them — my travail tending unto another form, that is, next to God's glory, to entertain the peace, and minister justice to my Sovereign's subjects so long as it shall please God that I sustain the burden." — Murray to Cecil, February 28, 1568: Burghley *Papers*, Vol. I.

self she showed characteristic displeasure. All the protests of the Council could not induce her to make the usual allowance for his post-horses; and Throgmorton could but hope that "so good a gentleman would not, for his particular ill-treatment, do anything which might mar the good intelligence betwixt the realms, however sufficient cause there might have been to put that devotion to hazard."[1]

France sent but cold answers. In the past autumn Catherine could not find words strong enough to express her indifference to the Queen, or her good-will to the Administration by which she had been deposed. Now, after a short uncertainty,[2] the balance inclined again to Mary Stuart. In the place of the Huguenot De Lignerolles, M. de Beaumont, a Guisian and a Catholic, was sent to Scotland to mediate in the Queen's interests; or, in other words, if the Regent would not consent to his suggestions, to recognise and assist the Hamiltons.

Under these circumstances it could not be but that some effort would before long be made for Mary Stuart's release. So long as she remained in Lochleven, to rise in arms in her cause would probably be the signal for her death; but with the assistance of George Douglas she was in close correspondence with her friends. She had confederates in the castle, and was kept aware of all the efforts which were being made in her favour. As the hold of the Regent upon

[1] Throgmorton to Sir Wm. Drury, May 6: Teulet, Vol. II.

[2] The reply of the French Court to Murray's memorial is preserved in two drafts of a letter, one of which was a mere acknowledgment that it had been received; the other, by the addition and alteration of a few sentences, is most markedly favourable to Mary Stuart. Which of the two was sent does not appear; but the tide was turning, and the second represented the intended policy of the Queen Mother. — Teulet, Vol. III. p. 371.

Scotland grew weaker, a general sense prevailed that she would not be much longer a prisoner — either she would escape, or her brother himself would be obliged to let her go. The compromises at the Parliament had failed of their effect after all. Murray had entangled himself in crooked ways to reconcile Argyle and Huntly to the Regency; but when the papers which committed them were in the flames, they followed their natural tendencies, and swayed back to the Hamiltons and the Catholics. He had succeeded only in offending the noblest of his own friends, and the world believed that he would either fall or come to an arrangement with his sister. March.

Neither she, however, nor the Hamiltons desired that she should purchase her freedom by any fresh engagements; and throughout the spring successive plans were formed and tried for her escape.[1] At first it was proposed to carry her off by a coup-de-main. There were but thirty effective men in the garrison. A heavy barge was kept on the lake to carry supplies to the island, and the crew had agreed to ferry over an armed party sixty or seventy strong, who coming suddenly on the guard, could easily overpower them. A Frenchman in the Queen's service, who had not been admitted into the secret, discovered something of what was going on, and supposing it to be a contrivance of the Protestant fanatics to take her out of Murray's hands and destroy her, he gave a hint to Sir William Douglas; the barge was broken up, and for the future a skiff, sculled by a single pair of hands, was alone

[1] The story in the text, which differs in some respects from that which is commonly received, is the account given by young Beton to the Spanish Ambassador in London. Beton assisted personally in her escape, and was sent by her immediately after to London and Paris to communicate the particulars of it. — De Silva to Philip, June —: *MS. Simancas.*

allowed to approach the island. One person was more easy to deal with than many. The solitary boatman was next bribed; a foundling page in the castle, who had been adopted by the Laird of Lochleven, and called after him the Little Douglas, undertook to seduce the sentinels, open the gate in the night, and bring the Queen to the waterside.[1] This plan, too, threatened to fail. Sir William Douglas, through some suspicion of the man, dismissed him, and appointed another; but he fortunately quarrelled with the substitute after a few days' trial, replaced the first, and all was thus made easy again.[2] The outer gate of

April.

[1] Another story was told by Sir Wm. Drury, and was repeated by De Silva to Philip. De Silva's words are a mere translation of Drury's, and he had evidently no other authority for what he was writing.

Drury's words are: — "On the 25th of March she enterprised an escape, and was rather the nearer effect through her accustomed long lying in bed all the morning. The manner of it was thus: There cometh in to her the laundress, early, as at other times before she was wonted, and the Queen according to such a secret practice putteth on her the weed of the laundress, and so with the fardel of clothes, and the muffler upon her face, passeth out and entereth the boat to pass the loch. After some space, one of them that rowed said merrily, 'Let us see what manner of dame this is,' and therewith offered to pull down her muffler, which to defend she put up her hands, which they spied to be very fair and white; wherewith they entered into suspicion who she was, beginning to wonder at her enterprise; whereat she was little dismayed, but charged them upon danger of their lives to row her over, which they nothing regarded, but eftsoons rowed her back again, promising her that it should be secreted, and especially from the lord of the house under whose guard she lieth." — Drury to Cecil, April 3: *MSS. Border.*

This is highly picturesque, and under some aspects carries with it internal probability. Circumstantial legends too require time for their growth, and Drury's letter was written within eight days of the date which he gives for the attempt; on the other hand, Beton, who was employed all the spring in arranging the plan, says nothing of it, and it seems unlikely that such a venture would have been risked unless the boatmen had been prepared. Possibly, however, they might have been detained by some accident at the castle, and others sent across in their places. This supposition would harmonise better with the rest of the story, and the conduct attributed to Mary is extremely like her in all respects.

[2] De Silva says that Lady Lochleven herself had been gained over, which is possible, but not likely.

the castle was every day locked at sunset, the keys were brought to Douglas, and were laid on the table at his side. On the evening of the second of May, between eight and nine — perhaps in the waning light, when the torches were not yet kindled, when the wine made eyes dim and ears heavy — the little page, who stood behind him, covered the keys with a plate, and swept them off the board unobserved. He glided out, and crossed the court to the round tower. The Queen was waiting in the dress of one of her servants, and with a little girl at her side, walked quietly with him to the gate. Four or five men were standing about, but the light was faint, and they were supposed only to be two of the castle women who were going on shore.[1] They passed out uninterrupted, the page locking the gate behind him. They sprang into the skiff, carried off the oars and rowlocks from the castle boats, to make pursuit impossible, and in a few minutes they were on shore.[2]

May.

George Douglas, young Beton, and the Laird of Ricarton, a kinsman of Bothwell, were waiting for them. After walking a mile, they found a party of cavaliers, who had emptied Lochleven's stables to mount themselves, and had provided a horse for the Queen. A few yards further was Lord Seton with fifty servants. There was not a moment to lose. The country was all Protestant, and might be raised by

[1] In an Italian account printed by Labanoff, it is said that the Queen wore a white veil with a red fringe, which on getting out she waved as a preconcerted signal to her friends on shore. Mr. Tytler accepts so picturesque an incident, but Beton is silent. If the light would have allowed such a thing to be seen half a mile off, it is extremely unlikely that there would have been any signalling.

[2] Don Francis de Alava says that in case he failed to secure the keys, the little page had made a ladder with a couple of oars lashed together. — Alava to Philip, May 22: Teulet, Vol. V.

beacons. The girl who had been the companion of the flight was left behind — there were no means of taking her away, and as the Queen was free, she said, "they might do what they would with her." Off shot the troop — off and away into the darkness! Eleven months had passed since Mary Stuart had been in the saddle, but confinement had not relaxed the sinews which no fatigue could tire. Neither strength nor spirit failed her now. Straight through the night they galloped on, and drew bridle first at Queen's Ferry. Claud Hamilton, with fresh horses, was on the other side of the Forth, and they sprang to their saddles again. A halt was allowed them at Lord Seton's house at Long Niddry, but the Queen required no rest. While the men were stretching their aching legs, Mary Stuart was writing letters at her table. She wrote a despatch to the Cardinal of Lorraine, and sent a messenger off with it to Paris. She sent Ricarton to collect a party of the Hepburns and recover Dunbar, bidding him, when the castle was secured, go on to Bothwell, and tell him that she was free. Two hours were spent in this way, and then to horse again. Soon after sunrise she was at Hamilton among her friends.[1]

Ricarton missed Dunbar; Lord Hume was too quick for him; but at Hamilton it must have seemed as if the loyal hearts of the Scottish nation had sprung to life to greet their sovereign. There were two Scotlands — then as for centuries to come — as perhaps at the present hour; the Scotland of Knox and the Assembly, the Scotland of the Catholics and Mary Stu-

[1] News from Scotland, May 9: *MSS. Scotland, Rolls House.* Relacion de la manera que la Reyna de Escocia se libró de le prision: *MS. Simancas.*

art; the Scotland of feudalism, and the Scotland of democracy and the middle classes; the Scotland of chivalry and sentiment, the Scotland of hard sense and Puritan austerity. Those who now rallied to the standard of the Queen were the ancestors or the forerunners of Montrose and Claverhouse. On one side was a blind, passionate, devoted loyalty, appealing to the impetuous instincts of generosity and heroism — on the other, the unromantic intelligence of a people whose history was beginning, and in whose veins, instead of noble blood, was running the fierce fever of Calvinism.

At Hamilton were gathered the Catholics who hated the Reformation, and those with whose disordered lives the Puritan discipline had dealt hardly — those who for deeds of lawlessness had felt the heavy hand of Murray — those who in blind sincerity believed that Mary Stuart was their lawful sovereign, who did not choose to scan too closely her past misdoings, and who had looked to her and hers to bring about the great day when a Scottish prince should sit upon the English throne.

There within a week of her arrival came Argyle and Huntly. There came Cassilis, Eglinton, Crawford, Rosse, Montrose, Sutherland, and Errol. There came Fleming from Dumbarton rock, and Livingston, and Boyd, and Herries, and Maxwell, and Oliphant; abbots whom the hated Calvinists had robbed of office and home, and bishops looking to the Queen to give them back their crosiers and their creed. There too came De Beaumont, happy that the freedom for which he had come to intercede was achieved without his interference. Never in so brief a time was so proud an assembly brought together. Five days after Mary

Stuart had left Lochleven, six thousand men were gathered round the walls of Hamilton, who had sworn to set her again on the throne of her fathers.

In that motley host there were many interests and many passions — half of them for one cause or another would at any other time have cheerfully cut the throats of the other half; but they agreed to set aside their minor differences. To prevent quarrels they bound themselves in the name of God, and on their faith and honour, "to know nothing but their duty to the Queen till her enemies were crushed," "to sink all disputes among themselves for the better prosecution of their enterprise," "and to refer them when the great cause was gained to the arbitration of their sovereign."[1]

The Queen rose bravely to the level of the moment, and shook off the spell which the Bothwell connexion had thrown over her. She remembered Bothwell at the moment of her escape; but at Hamilton, surrounded by her loyal subjects, she was once more herself — the accomplished politician, the brilliant woman of the world, skilled in every art which could attach a friend, conciliate a foe, or recover a respect which had been forfeited.

Dainty as she was naturally in her person, she was without a dress except the maid's in which she had left Lochleven, and Hamilton Castle, it seemed, could not provide her with a second.[2] But troubling herself little with such inconveniences, she was taking the measure of her position, and with incomparable skill and

[1] Bond made by the Lords of the Queen's party at Hamilton, May 8; signed by nine earls, eighteen lords, nine bishops, twelve abbots, and ninety-three other knights and gentlemen. — *MSS. Scotland.*

[2] Beton told De Silva "que no tenia mas de una ropa de una criada que tomó para salirse." — De Silva to Philip, May 14: *MS. Simancas.*

speed doing all that mind could suggest to strengthen her cause. She professed herself willing to grant an amnesty in Scotland to every one except to Morton and Lindsay, by whom she was taken at Carberry; to Lord Semple, who had written the ballads against her; to Sir James Balfour, who had betrayed her letters; and to the Provost of Edinburgh, at whose house she had passed the first night of her captivity. To the Cardinal of Lorraine she wrote at leisure a second letter of melting ingenuousness. For her past faults she said she implored pardon of God and the world; God and only He had delivered her from captivity, and she would show her thankfulness by the constancy with which in life and death, as a private woman and as Queen of Scotland, she would evermore be true to Holy Church. She besought her uncle to intercede for her with the Queen Mother and the King; and she promised for the future to be guided by his advice in everything.[1]

She despatched Beton to Paris, commissioning him at the same time to say that without assistance she might be unable to maintain herself, and requesting therefore that a thousand harquebussmen might be sent to her help without delay. By Beton's hand she wrote also to Elizabeth, whom he was to see on his way through London. To Elizabeth she said that she was now free, and that she looked to her for the help which in the past autumn she had so often promised. To the Spanish Ambassador she sent a private message, excusing her inability to write to him, from the spies by which she was surrounded. She desired him

[1] There are two accounts of this letter — one in the Italian narrative, printed by Labanoff, Vol. VII. p. 135; the other in a despatch of the Spanish Ambassador at Paris to the Duke of Alva, May 20, 1568. — Teulet, Vol. V.

to tell the King of Spain that the charges reported against her were false; that the real criminals were the Lords by whom she had been imprisoned; that she was staunch to the Catholic faith, and looked to him to advise her as to her future conduct.

France, England, and the Spanish Ambassador were equally embarrassed with these communications. De Silva, too well acquainted with the exact truth, answered vaguely that he would write to his master, who would be happy to hear that she continued true to her religion.[1] France could not move actively without the consent either of Spain or of England. The Cardinal of Lorraine consulted Alava, De Silva's brother Ambassador at Paris. Alava, afraid to give an opinion without instructions, declined to advise, and answered with generalities.[2]

The Spaniards, who would desolate Europe for an opinion, were scrupulous about moral crimes; and Philip seemingly had ceased to interest himself in the fortunes of the Queen of Scots. On Elizabeth the effect of the escape was to open her eyes to the realities of her own position. While Lochleven held its prisoner fast, it was easy to promise and to threaten. When it became necessary to act, the dangers and difficulties rose before her with tremendous distinctness. Mary Stuart at the mercy of her revolted subjects, and Mary Stuart at the head of an army made up of those who had ever been most opposed to England, were different persons; and her first impulse was to support the Regent.[3] But she was confronted with

[1] De Silva to Philip, May 14: *MS. Simancas.*

[2] Alava to Alva, May 20: Teulet, Vol. V.

[3] "I praise God our Queen will assist the good Earl of Murray rather than this unlucky woman and her friends." — Throgmorton to Drury, May 6: Teulet, Vol. II.

a dilemma in which the choice of sides was not easy. Beton told her that he was instructed first to apply for help to herself. If she refused, but only if she refused, he was to go on to France. If she would keep her promise, and replace the Queen of Scots on the throne, the Queen of Scots "would look for no other friend." What was Elizabeth to do? To allow France to interfere against the Protestants would be entirely ruinous. To take the Queen's side in the field against Murray would be absurd; and when the Queen of Scots was free and at large, after her fair speeches and promises of the past autumn, neither to assist her herself nor permit her to seek help elsewhere, would be an outrage against justice and decency.

So far as a middle course was possible, she at last alighted upon it. She sent down a Mr. Leighton post-haste to Scotland, directing him to go first to Murray and tell him that he must submit to the Queen, or she would interfere and compel him; and next to go on to Mary Stuart, and insist that she must accept "Elizabeth's arbitration between herself and her subjects," "that force should cease on both parts, and no new collection of power be made." Elizabeth claimed to mediate because she was the Queen of Scots' nearest kinswoman and neighbour, because she believed that the Scottish people would listen more willingly to her than to any other prince, and because, if they refused, she could more easily enforce their obedience. She intimated at the same time that foreign interference could not and should not be tolerated. If the Queen of Scots called in the French, "she would have to conclude that the principal intention was to renew old quarrels." She would simply

"impeach" them by force, and towards "her sister" "she would be moved to alter her mind contrary to her natural desire."[1]

If the Queen of Scots rejected the offers which were thus made to her, Elizabeth would have extricated herself from her engagements. If she accepted them, some compromise might have been arranged which would not have been a wholly intolerable solution of the difficulty. The assumption of authority in the tone of the message would have rendered less disagreeable conditions unpalatable, but Elizabeth, it is likely, sincerely desired to bring about a reconciliation between Mary Stuart and her subjects, since she accompanied her proposals with one of those peculiarly disagreeable letters which she felt herself entitled to write when she intended to be kind. Mary Stuart had missed the lecture which was to have been administered by Throgmorton; but circumstances were changed, and it could now be delivered with propriety.

"Madam," wrote Elizabeth, "my hand has seldom performed its office towards you since your unfortunate captivity. I could not write to you without pain. But hearing the joyful news of your escape, affection for you as my near relation, and my sense of what is due to the honour of a Queen, constrain me to send you these few words. The bearer is a gentleman who visits you on my behalf, and will declare my opinion to you at length, touching your state and honour, of which I am as careful as you yourself could desire. That in times past you have shown small respect for that state and that honour, here, where I now am, I

[1] Instruction to Mr. Leighton, sent to Scotland, May 15: *MSS. Scotland.* Considerations of the troubles in Scotland when Mr. Leighton was sent thither after the escape from Lochleven: Anderson.

can only be distressed to think ; were I in your presence, I would say it to you in words sufficiently distinct. Had you cared as much for your honour as you cared for a miserable miscreant, all the world would have grieved for your calamities ; whereas, to speak the plain truth, the number who have done so is but small.

"But I write to congratulate, and this is not the time for reproaches. Pardon, Madam, that interest in your good name and fame which forces me into expressing feelings on which I should dwell more largely, did not compassion for your condition cut them short, and lead me rather into the consideration of your present necessities. I am not so inhuman as to withhold advice from any one who asks for it, least of all will I be backward in giving advice to you ; I will say to you what I would have said to myself, were I in the same condition. Listen, therefore, I entreat you, to what the bearer has to report to you. Listen to it as you would listen to myself. I, as you will understand by him, do not forget my promise. Do you, if you please, remember, that those who have two strings to one bow may shoot strongly, but they rarely hit the mark. This gentleman will explain the text. His sufficiency is such that I need not weary you with longer writing. The Creator be your guide in all you do."[1]

Cecil, meanwhile, had communicated with the Regent through Elphinstone, to a purpose considerably different from the message sent through Leighton. Elizabeth, notwithstanding her clearer sight of the inconvenience, would still have restored the Queen of Scots to some kind of authority. Cecil, who simply

[1] Elizabeth to the Queen of Scots, May 17: *MSS. Scotland.*

wished that she should remain deposed, desired that there should be no necessity for English or any other interference. He had, therefore, recommended Murray "to use expedition in quieting the troubles," and to crush the Queen and those who had collected about her without a moment's delay.[1]

Murray, as well aware as Cecil of the need of haste, required no urging. At the time of the Queen's escape he was at Glasgow, and she herself brought the news of it. Lord Herries, as a purposed diversion, had made a disturbance on the Borders; and the Regent was on his way down to Dumfries to reëstablish order. Looking, as usual, after those parts of his duty with inflexible resolution, with steady justice and unaccustomed purity of hand, he was fighting against his unpopularity, and commanding the respect of those who hated him. Whatever his political errors, he was forcing Scotland to admit that a more upright ruler had never guided her fortunes.[2] Herries meant that he should have been far away before the Queen's flight, but rumours of some plan for her marriage with Lord Arbroath, some suspicious movements of De Beaumont, and a gathering of "Papists" at Dumbarton had detained him, and he was but a few miles from Hamilton when he learnt that she was there. He had but his ordinary guard with him, and he was advised to fall back on Stirling; but he would hear of nothing which

[1] "I did declare unto my Lord Regent's Grace your advice and opinion touching expedition to be made for quieting of the present troubles, of the which something your Lordship will understand by this gentleman bearer hereof — what is done, and what to be done." — Elphinstone to Cecil, May 21: *MSS. Scotland.*

[2] "That which is much liked is that he taketh no money, as afore by others was continually used in composition, but punisheth to the death always as crimes that deserve the same." — Drury to Cecil, April 26: *Cotton MSS., Calig. B.* 9.

would seem like weakness, and he stayed boldly where he was. The inhabitants of Glasgow, all Lennox-men, flew to arms. Proclamations, calling such Scots as were loyal to their King to come to him, were sent round, and were swiftly answered.[1] A few minutes' — at most a few hours' — notice was all that then was wanted. There was a stack of arms in every house in the Lothians, and the farmer and his men had but to buckle their sword-belts, put on their steel caps and breastplates, and strap a wallet with some cold meat and bread behind their saddles, to be equipped for a week's campaign.

Lord Hume came across with 600 men from Dunbar. Kirkaldy, leaving a garrison in Edinburgh Castle, hastened over with some hundreds of harquebussmen; and one after another followed Mar, Morton, Ochiltree, Semple, Lindsay, Ruthven, the old-tried Lords of the Congregation. Sir John Foster, feeling as all loyal Englishmen felt, wrote with "comfortable" words, telling Murray that he need fear no trouble from the Borders.[2]

While the Chivalry of Scotland were with the Queen, the Regent found himself, before many days, at the head of a force, better armed, better appointed, and outnumbering hers. He had this advantage, too, that his army was united heart and soul with one distinct purpose.[3] The Marian Lords, notwithstanding their

[1] Proclamation made by the Earl of Murray from Glasgow, May 3: *Cotton MSS., Calig.* I. 55.

[2] "We received your comfortable and friendly letter, thanking you heartily thereof. We doubt nothing but the same God who began the action shall conduct it to a happy and comfortable end; for we are right well accompanied with the whole noblemen that entered in the action from the beginning." — Murray to Sir John Foster, May 9, from Glasgow *MSS. Scotland.*

[3] Drury to Cecil, May 12: *Cotton MSS., Calig. B.* 9.

bond to forget their private schemes and quarrels, were plotting for their several purposes, as if the victory was gained, and were already forcing on the unwilling Queen the hard conditions of their support. She, too, had the choice been open to her, would have preferred any other protectors to the selfish and treacherous Hamiltons. No love had been lost between them and her while she was still on the throne. She had mortified them by her contemptuous rejection of the suit of the Earl of Arran; Chatelherault had been in arms with Murray to prevent the marriage with Darnley; and she could scarcely have been kept in ignorance of the terms offered by them to the Lords in the first weeks of her imprisonment. The Arbroath marriage was detestable to her; and her best wish was to escape out of their hands and shut herself up in Dumbarton with Lord Fleming. But the Hamiltons had her in their power, and would not part with her. They intended, and De Beaumont went along with them, that Arbroath should be her husband; and "they thought by having her in possession, they should bring their purpose to pass." [1]

There was no agreement too as to who should command their forces; the followers of one nobleman would not obey another. The Queen desired to avoid a battle. She feared that a victory gained by the Hamiltons would be as troublesome to her as defeat. The Hamiltons, burning to see themselves supreme in Scotland, were clamouring to crush the Regent in one deciding blow. So the precious time was wasted,

[1] Drury to Cecil, May 12. Melville writes in his *Memoirs:* "Some said that the Archbishop of St. Andrew's was minded to cause the Queen to marry the Lord Hamilton (i. e. Arbroath) in case they had obtained the victory; and I was since informed that the Queen herself feared the same, and therefore she pressed to convey her to Dumbarton."

while Murray day after day grew stronger, and at length they found themselves the weaker party. It was no longer safe for them to wait to be attacked at Hamilton, and they were compelled to yield to the Queen's entreaties, and attempt to convoy her to Dumbarton. With this object they broke up on the morning of the 13th of May. They were still without a defined plan. Argyle had the nominal command, but was either ill or incapable. The young Hamiltons were still eager for a fight, and insisted on defying Murray by marching close to Glasgow. Their numbers in all were about six thousand, of whom the Hamiltons and their kinsmen made more than half. The Regent, well informed by spies of their intended movements, was ready to receive them. They took the road by the south bank of the Clyde, and two miles from Glasgow they came on Murray, strongly posted at Langside. He had brought but a part of his force with him. He had only two hundred horse and four thousand foot all told; but they were tried soldiers, armed half of them with harquebusses. He had taken up his position at his leisure. From the ridge of Langside hill a long straggling village descended in the direction in which the Queen was approaching. The Regent had occupied the cottages and farm-buildings on each side of the street as far as it reached; his main body spread out on the brow at the higher end, and there he waited to be attacked. The enemy were long in coming up. Argyle had fallen fainting from his horse, malice said "for fault of courage and spirit." It was too late to choose another leader, and after an hour's delay, losing the little order with which they had started, they plunged on, Lord Claud Hamilton and Sir James Ham-

May 13.

ilton of Evandale, leading. No attempt was made to turn Murray's position, though it might easily have been done. Up the lane they came, horse and foot together, a mere huddling crowd, till they were between the houses, when the harquebuss-men at close quarters poured in their fire from behind the walls. Still they struggled forward. The leading companies, though desperately cut up, forced their way at last through the village to the open ground above, where they were faced by Murray's solid lines; and there, for three quarters of an hour, they stood and fought. Their spears crossed and locked so thickly that the smoking pistols which those behind flung over the heads of their comrades in their enemies' faces, were caught as they fell upon the level shafts. The Hamiltons' artillery — some field-pieces which were following in the rear — began to open; but after the first round a shot from a gun of the Regent's killed the officer in command; an artilleryman dropped his linstock in the confusion, which blew up the powder waggon.[1]

Lord Herries, with a squadron of horse, at first had better fortune. Sweeping round up the hill to the left, he fell on the rear of the Regent's right wing, sent Ochiltree half dead to the ground with a sword-stroke, badly wounded Hume, and was driving all before him, when Grange, Lindsay, and Douglas of Lochleven came to the rescue, checked his short success, and hurled him back by the way that he came.

All was lost then. The Hamiltons had stood as long as there was hope of help coming to them, but when they saw Herries fly, they too broke, scattered, and ran. A party of Highlanders, who had hung hitherto about the skirts of the fight, now flung themselves

[1] Drury to Cecil, May 15: *Cotton MSS., Calig. C.* 1.

with whoops and yells upon the fugitives, and but for Murray's prompt humanity would have destroyed the whole of them. Instantly, however, Murray sent orders over the field that no more blood should be shed.[1] Young Ochiltree had Lord Seton down, and would have killed him in revenge for his father, but the Regent himself struck Ochiltree's sword out of his hand. There was no pursuit, and the loss of life, considering the sharpness of the fighting, was small. A hundred and forty Hamiltons were killed, shot chiefly in the village, and twice as many more were wounded; but the route was utter and complete. The Queen's "army" was gone into the air; the guns were taken; Seton, Rosse, Evandale, Montgomery, Cassilis, two sons of the Archbishop of St. Andrew's, and three hundred, "all of the surname of Hamilton," were prisoners. Eglinton hid himself till nightfall in the straw in an outhouse, and then fled in the darkness. Huntly, who was coming up to join the Queen, and was too late for the battle, turned about and rode for the North. Two days later Hamilton Castle surrendered, and the Regent was engaged in punishing his own men who had continued to plunder, and in granting free pardons to all who had fallen into his hands. It would have been better for Scotland had he given them that "justice" which he gave the Border thieves. Among them — the name should be noted — was Hamilton of Bothwellhaugh.[2]

Mary Stuart had watched the battle from a hill some

[1] "Le Comte de Murray pria ceulx de sa compagnie de s'abstenir d'effusion du sang, autrement tous les gens de pied estans en plus grand nombre que ceulx de cheval eussent entierement esté defaictz." — Avertisement d'Escosse du xvi. de May: Teulet, Vol. II. All accounts agree on Murray's conduct.

[2] Account of the battle of Langside: *MSS. Scotland, Rolls House.*

half-mile distant, with Fleming, Boyd, and young Maxwell, a son of Lord Herries, remaining to guard her. They had waited till they saw the Hamiltons broken, and they had been seen then to gallop off together, no one at first knew whither. Maitland, loyal whatever his faults to Scotland and Scotland's interests, wrote to Cecil that there was again "a breathing time." If Elizabeth would now support the Regent, France would leave them to themselves, and all would again go well. If not — if there were to be more uncertainty, more talk of the rights of sovereigns, more insisting upon mediation — he entreated Cecil, for God's sake, to "bring her to deal plainly with them, that they might know what she meant, and to what they were to trust." [1]

To ask Elizabeth "to deal plainly" was to ask the winds to say from what quarter they were about to blow. Rumour, which carried to Berwick the first news of Murray's victory, brought with it a report that the Queen of Scots was in Dumbarton. Bedford sent an express to the Regent to tell him he must at once take the place at whatever cost, before his mistress had time to interfere with him.[2]

It was impossible to foresee the course which would be taken either in France or England. It was only known that the northern counties — Northumberland, Durham, Westmoreland, and Yorkshire, swarming as they were with Catholics — were in the wildest excitement. They knew as yet only of the Queen of Scots' escape and were lighting bonfires everywhere to celebrate it.[3] With Elizabeth's sanction, or perhaps with-

[1] Maitland to Cecil, May 21: *Scotch MSS. Rolls House.*
[2] De Silva to Philip, May 22: *MS. Simancas.*
[3] John Nichols to Cecil, May 22: *MSS. Scotland.*

out it, they would be ready, when they heard of her defeat, for any instant action. And whither had the Queen of Scots gone? Rumour, as usual, had strayed far from the mark. She had meant, even after the defeat, to reach Dumbarton, if possible; but she had left the field too late. The country had risen, and all the roads were beset. Peasants, as she struggled along the bye lanes, cut at her with their reaping hooks. The highway was occupied by Murray's horse. Harassed — for once terrified — for she knew what would be her fate if she fell again into the hands of the Confederates — she turned south, and with six followers, those who had been with her on the hill, and Livingston, George Douglas, and the foundling page, who had contrived to rejoin her, she made for Galloway. There, in the country of Lord Herries, she would be safe for a week or two at least, and the sea would be open to her if she wished to leave Scotland. By cross paths, by woods and moors, she went, as if death was behind her — ninety-two miles without alighting from her horse.[1] Many a wild gallop she had had already for her life. She had ridden by moonlight in two hours from Holyrood to Dunbar, after the murder of Ritzio; she had gone in a night from Lochleven to Hamilton; but this, fated to be her last adventure of this kind, was the most desperate of all. Then she had clear hope before her — now there was nothing but darkness and uncertainty. At night she slept on the bare ground; for food she had oatmeal and buttermilk. On the third day after the battle she reached Dundrennan Abbey on the Solway.[2]

[1] Her own words are, "Quatre vingt et douze milles à travers champs sans m'arrester ou descendre."— Mary Stuart to the Cardinal of Lorraine, June 21: Labanoff, Vol. II. But she did not invariably tell the truth. She must at least have changed horses.

[2] Dundrennan is ninety miles from Langside by the nearest road. Mary

Whither next? Herries, who had followed her with De Beaumont as fast as horses could carry them, said that he would undertake to keep her safely where she was for forty days at least. She could communicate, meanwhile, with her friends, and could then either go round by water to Dumbarton, or wherever else she pleased. De Beaumont was of the same opinion. Her party in Scotland would rally to her if she remained in the country; or, if they did not, she could make her way at any moment to France.

But the Border gentlemen — if such a word as gentlemen may be so misused — were already speculating how best to make their peace with the Regent. They had felt the weight of his hand once, and were in no haste for a second experiment. She doubted Herries' power much, and she was not entirely confident of his loyalty; while she had no good feeling towards De Beaumont, who had pressed the Arbroath marriage on her, or towards the Government which De Beaumont represented. She was not ignorant of the kind intentions of her mother-in-law towards her at the time of her first imprisonment. She was afraid, with good reason, that if Catherine saw her way to the restoration of French influence in Scotland, no interest of hers would be allowed to be a serious obstacle. If she trusted herself in Paris, some cloister door might open for her, from which escape would be less easy than from Lochleven.

With an impulse which appeared sudden, yet which commended itself to her deliberate judgment, she resolved neither to continue under the doubtful protec-

Stuart for safety went across the country and made the distance longer, but her story is not very consistent. She says she was out three nights, yet she was certainly at Dundrennan on the 15th.

tion of Herries, nor to sail for France or Dumbarton, but to throw herself on the generosity of her sister of England, — of that Elizabeth whose crown she had claimed, whose policy she had thwarted, whose subjects she had tampered with; whom, till her love for Bothwell had for a time suspended her political passion, the most intense desire of her heart had been to humble into the dust.[1]

Their relative positions would not at first sight have seemed to advise a step of such importance; yet the arguments which told against the venture, told also on the other side. Elizabeth had every reason to fear and dislike her; yet Elizabeth, before her troubles, had been in favour of her succession, and had since been her most conspicuous friend. Elizabeth had threatened that if a hair of her head were touched, she would harry Scotland with fire and sword. Elizabeth had refused to recognise the Regent's government. To the last day of her imprisonment Elizabeth had repeated her promises of help, and with money as well as words, had kept alive the spirits of her party. She had neglected her obvious interests, she had quarrelled with her most trusted ministers, because they would not go along with her. Whatever had been her motives — whether pity for the sufferings of a sister Queen, or a disbelief in the charges brought against her, or a dread of countenancing an example of rebellion which might be turned against herself — she alone, of all the European Powers, had interfered to prevent the Lords from going to the extremities to which they were inclined.

Mary Stuart had not received the message sent through Leighton, and Elizabeth's second letter of

[1] De Silva to Philip, June 5: *MS. Simancas.*

admonition, like the first, unfortunately never reached its destination. But that too would have made but little difference; her attitude towards her remained substantially favourable. She probably but half understood Elizabeth's character; she underrated her ability, and she misconstrued her eccentricities into weakness; and with a just confidence in her own extraordinary powers, she might think that she had but to appear at the English Court to carry all before her. The English Catholics had ever been devoted to her, and she could still count her adherents among them by thousands. More than half the Peers and two-thirds of the country gentlemen had long determined on her as Elizabeth's successor; and though her late misdoings had shaken and divided them, yet the mystery which had been observed in keeping back the proofs of her guilt had created doubts where none existed; and Elizabeth's repeated trifling with their desire for her marriage had driven them back, in spite of themselves, towards the person on whom they had before united. Mary Stuart knew all this; she knew the political and spiritual interests which were involved in her well-doing, and she might easily believe that once present among persons who were so anxious to think favourably of her, with her passionate eloquence she could convert her faults into virtues, and represent herself as an innocent sufferer for others' crimes.

It might seem too that while she had all to gain, she could lose nothing. Elizabeth, at worst, could but refuse to receive her, and allow her a free passage to the Continent. She was, or believed herself to be, in present danger of capture and death; while across the Border she would be in absolute security. The very boldness of the hazard suited her daring temperament.

She saw herself in imagination kneeling at Elizabeth's feet before the assembled barons of England, an injured and beautiful suppliant flying for protection against her rebellious subjects; a few passionate words would dispel the calumnies which clouded her fame; a thousand swords would leap from their scabbards to avenge her, and she would return in triumph to Scotland escorted by the English chivalry.

Such seem to have been her feelings, as afterwards at intervals they broke from her; and it was to no purpose that the cooler judgment of Herries laid before her the opposing possibilities. Elizabeth might feel and speak strongly, yet her acts might correspond ill with her words. She might mean kindly, but in momentous affairs of state, the conduct of governments was determined by interest, and feeling had little to do with it.[1]

Mary Stuart, however, had a supreme confidence in herself which could not be shaken. Herries sent over by her orders to one of the Lowthers, who was governor of Carlisle, to enquire if he would receive her. She wrote herself to Elizabeth to say, that being driven from her kingdom by her subjects, she threw herself on her sister's hospitality;[2] and giving herself but one night to rest at Dundrennan, without waiting for an answer even from Lowther, May 15.

[1] The Queen of Scots was not alone in her expectations. The French Ambassador in London writes on the 22d of May: — "Aucuns m'ont voulu dire que si la Reyne d'Angleterre n'est surmontée et vaincue par une obstinée deliberation et remonstrance des siens, qu'elle tiendra tousjours ladicte Dame d'Escosse pres d'elle, avec toutes les courtoysies et faveurs dont elle se pourra adviser. Mais ceulx la fondent leur discours selon mon faible jugement sur les choses apparentes et sur les propoz qui pour ung temps ont course de leur entretien et amytié comme si au gouvernement des grandes estatz et principaultez les particulieres affections debvoient avoir quelque lieu."— *M. de la Forest au Roy de France*, May 22: Teulet, Vol. II

[2] Mary Stuart to Elizabeth, May 15: Labanoff, Vol. II.

without a change of clothes or the commonest necessaries of life, the next morning, Sunday the 16th of May, she embarked in an open fishing boat, crossed the Solway, and landed in the evening at Workington. Herries went with her, with Fleming, Livingston, George Douglas, and a dozen more. The secret of her rank could not be kept. She had a quiet night, and in the morning she had time to write again to Elizabeth, painting her desolate condition, and begging permission to repair immediately to her presence.[1] But the news of her adventurous arrival spread swiftly among the Cumberland squires, who hurried into the town with their offers of service; and in the evening Lowther came from Carlisle to escort her with him to the castle there. He was a loyal subject, but he was a Catholic, and, like all his family, had been well disposed in past times to her title. To him she was the second person in the realm, though with her good name a little clouded; and he thought himself bound to treat her as a princess, till more particular instructions should come to him from London. The story of her coming flew from lip to lip. Town and village, farm and manor-house, all over the northern counties were frantic with enthusiasm. The sons of the Pilgrims of Grace, who for years had fixed their eyes on her as their coming deliverer, who had corresponded with her, and all but conspired with her, came pouring into Carlisle. Her most eager hopes could not have been more brightly realised than they seemed in those first days. She held a little court in the castle, where all who wished to see her were received and welcomed. She

May 17.

[1] Mary Stuart to Elizabeth, May 17. From Workington: Labanoff, Vol. II.

knew their names, and had a word for every one. Eloquent and voluble, she rushed to the story of the murder, using the moments wisely while she had them, and pouring out her indignant exculpations.[1] Among the rest, came Thomas Percy, Earl of Northumberland,[2] with some Fairfaxes and Vavasours, to pay his court; and it seemed to Percy, after he had spoken with her, that Lowther was too mean a host for so great a visitor, and that it would be well if he were to carry her with him to Alnwick. He had come prepared with the necessary authority; so strangely men's heads were turned, that the Council of York had given him a warrant under their hand and seal to take possession of her person, and Mary Stuart, of course, desired nothing better. Fortunately for himself, Lowther retained sufficient sense to insist on waiting till he had heard from the Queen. The Earl was violent, "used great threatenings, and very evil words and language,"[3] but he was obliged to go away as he came.

So far, however, this was the one check of the success of those first few days, which might well have seemed to justify the wisdom of Mary Stuart's enterprise. In London, both Queen and Council were in the utmost perplexity. They were taken utterly by surprise, and no kind of plan of conduct had been formed beforehand for so unlooked-for a contingency. Elizabeth's personal impulse was to receive her visitor

[1] "Many gentlemen of divers shires, here near adjoining within your realm, have heard her daily defences and excuses of her innocency, with her great accusation of her enemies, very eloquently told before our coming hither." — Lord Scrope and Sir F. Knollys to Elizabeth, May 29: *Cotton MSS., Calig.* I. 76.

[2] Son of Sir Thomas Percy, executed after the Pilgrimage of Grace.

[3] Lowther to Cecil, May 22; Sir F. Knollys to the Earl of Northumberland, May 25: *MSS. Queen of Scots, Rolls House.*

at Court as her letter requested, and to treat her as a sovereign. The French and Spanish Ambassadors, who both suspected Elizabeth's sincerity, and therefore watched her closely, satisfied themselves that this was her serious wish, and that, left to herself, she would have done exactly what the Queen of Scots had calculated on.

"The Queen," said De Silva, "has always shown herself favourable to the Queen of Scots, and now takes her part with the Council." [1] "The Queen," said M. de la Forest, "supports the Queen of Scots' cause with all her power. She tells her Ministers that she shall be entertained as her rank and greatness deserve." [2]

But both De Silva and M. de la Forest alike added that her best advisers were altogether at variance with her. To support her opinion, she had sent for the Duke of Norfolk, Lord Arundel, and the other leaders of the Catholic and semi-Catholic party; she had refused to come to a resolution without them; but the Ambassadors believed that the objections to the course which she proposed were so considerable, that she would be forced to give way.

A paper remains in Cecil's hand which shows that he had at once comprehended the situation in all its aspects.

The first necessity was to ascertain whether the Queen of Scots was or was not a falsely accused person. If she was innocent, no measures could be too immediate or too decisive in her favour. She must be instantly restored to her throne and enabled to punish those who had slandered her character as a pretext for their own rebellion. But this possibility Cecil evi-

[1] De Silva to Philip, May 22: *MS. Simancas.*
[2] M. de la Forest au Roy, May 22: Teulet, Vol. II.

dently entertained but faintly. The weight of the difficulty lay in choosing what to do with her if she was guilty — guilty, as all the world at first believed her to be, and as every one still believed her to be, except those who were interested in finding her to be innocent. Whatever might be the theoretic immunities of sovereigns, the most determined champion of divine right could not but see a wide difference between the claims of an innocent and maligned lady and those of a cold-blooded murderess and adulteress. Catholics were as little loyal as Protestants when it suited their convenience, and Knox himself had not preached the responsibility of Princes more emphatically than Cardinal Pole. To force such a woman as the Queen of Scots was said to be upon an unwilling people, was an outrage upon the unwritten code of common sense which no formula could be strained to justify. Had she been merely the sovereign of an independent people, unconnected with England in any way, Elizabeth might have declined to interfere; she might have allowed her unwelcome guest to return as she had come, and to seek the assistance elsewhere which she felt unpermitted to give.

But setting aside the semi-feudal authority which the English Crown asserted over Scotland, the two countries had been connected since the Reformation with relations too close to be now disowned. England was the natural guardian of Scotch Protestantism, and the life of England itself depended on the keeping out of Scotland those foreign armies which, if England would not take up her cause, the Queen of Scots would seek undoubtedly to introduce there. Moreover, those rights in England, on which the Queen of Scots so much insisted, entailed obligations along with

them. She was heir presumptive to the Crown, and not heir presumptive only, but "she had openly made challenge to that crown, not as second person after the Queen's Majesty, but before her."[1] She had not yet ratified the treaty by which she retired from these pretensions, and should she now pass into France, "all the old perils would be revived with the more extremity; her stomach kindled with ire and anger vindicative, and her boldness to attempt the more, upon the opinion that she had of a great party in England — some for religion, some for her title, others for discontent and love of change." She would "marry some foreign Prince;" "the old league between France and Scotland would be renewed to the sworn malice of England" — "the danger being greater because England and Burgundy were then knit together," and now England was without a friend. France had possession of Calais, and, with a few galleys could block the passage of the Straits. English trade would be destroyed, "without which the Queen's Government could not stand," while the introduction of artillery had revolutionised war: the long-bow — the great English weapon — had become useless, and France was now the stronger of the two countries.

Yet, on the other hand, to detain the Queen of Scots in England seemed equally dangerous. "She would practise and make a party to seize the crown at the first opportunity." "She would increase the boldness of all evil subjects, both in causes of religion and all other;" while the Catholic Powers would have a fair pretext for interfering, if a Princess, whose crimes they would ignore, whose independence they would in-

[1] Things to be considered on the Queen of Scots' coming to England; in Cecil's hand: Printed by Anderson.

sist upon, was kept as a prisoner in a country to which she had come of her own free will. Her old claim upon the crown and the yet unratified treaty of Leith would be an answer in law to their complaints; but the large number of Catholics in England, and their dangerous humour, made extremities undesirable; and notwithstanding the scandal, supposing the guilt of the Queen of Scots to be proved, the most prudent course would be "to devise how to cover the dishonour of the crime, and how to settle her in her Realm with such kind of government as might preserve the same from the tyranny of the French, and continue the accord between the two Realms." Difficult as this would be, it on the whole promised best for England, provided the Protestants in Scotland could be induced to consent. To reconcile them to it, means would be taken to continue the Earl of Murray in the reality of power; the Protestant religion should be established there in complete legal form with the consent of the sovereign; the treaty of Leith should be accepted, and the Queen of Scots should bind herself not to marry without the consent of Elizabeth.[1]

In any previous century in the world's history — in Rome or Greece, in the ages of Faith, in mediæval Europe, or in England in the golden era of the Plantagenets — such a difficulty would have been disposed of more swiftly and more effectively. It is a proof of the change of times, that the old methods of getting rid of pretenders to thrones were not thought of or were thought of only that means might be taken to avert the suspicion that they had been resorted to. Elizabeth's first care was to order that the Queen of

[1] Things to be considered on the Queen of Scots' coming to England: Anderson's *Collection.*

Scots' food should be prepared by her own servants, lest an accidental illness should be imputed to poison.[1] The Queen of Scots was not to be imprisoned and then to disappear; she was not even to be treated as the unhappy Lady Catherine Grey had been treated, under a provocation infinitely less. But — setting aside formalities, and looking only at the essential features of the case — the beautiful and interesting sufferer was manifestly a dangerous animal which had run into a trap, difficult to keep, yet not to be allowed to go abroad till her teeth were drawn and her claws pared to the quick.

Yet Cecil could very imperfectly as yet convince his mistress. Elizabeth was troubled with her theories of sovereignty; troubled with the recollection of her promises, which she had found it more easy to shake off when there was only an Earl of Murray to be betrayed; troubled with her personal feelings for the Queen of Scots; troubled with dislike of Puritans and fear of Catholics; troubled generally with an inability to grapple with an easy question in its straightforward bearings.

The accounts of the fine Court which was being held at Carlisle possibly quickened her resolutions. She was brought to see that the murder must be privately investigated; that she must abandon her intention of receiving the Queen of Scots at Court till the Queen of Scots had established her innocence, and, meanwhile, that she should not escape. A guard of 200 men was sent from Berwick to Carlisle Castle — men so faithful, that if there was any attempt at flight,

[1] "Dixó me la Reyna que no le quitasen los officiales escoceces que tenia para el servicio de su mesa, comida y bebida, porque si succediese alguna desgracia de enfermedad natural no se imputase á otra cosa." — De Silva to Philip, June 5: *MS. Simancas.*

Elizabeth expressed a fear that they would make short work of their charge.[1]

She told the Spanish Ambassador that the Queen of Scots should be treated as a Princess, but with less distinction than would have been shown her had she come to England with an unblemished character. Lord Scrope, who was in London at the time, returned in haste to relieve Lowther of his command. Elizabeth wrote briefly to the Queen of Scots to say that for the present she could not see her, but that her cause should receive proper consideration; and Sir Francis Knollys — Elizabeth's cousin — whose keen, hard sense would be proof against Mary Stuart's reported fascinations, was sent with Scrope to take charge of her person, to communicate his mistress's intentions, and to report upon her character.

A sharp note from Cecil had already checked the assiduities of the northern gentlemen. Sir F. Knollys on his way down read a lecture to Northumberland and the Council of York for their forwardness. On the evening of the 28th of May, he arrived at Carlisle; having been met six miles out by Lord Herries, who was eager to hear whether his own fears or his mistress's more sanguine visions were to be confirmed. Together they rode back to the town, and Elizabeth's minister stood in Mary Stuart's presence. May 28.

"We found her," he wrote to the Queen, "in her chamber of presence, ready to receive us, when we declared unto her your Highness's sorrowfulness for her lamentable misadventure. We found her in her

[1] "Dió me á entender que habian venido á Carlisle docientos arcabuzeros y todos tan fieles á su servicio que tenia temor de que si aquella Reyna se quisiere salir por alguna parte, y la viesen, la matarian." — De Silva to Philip, June 5: *MS. Simancas.*

answers to have an eloquent tongue and a discreet head; and it seemeth by her doings she hath stout courage and liberal heart adjoined thereto. After our delivery of your Highness's letter, she fell into some passion with the water in her eyes, and therewith she drew us with her into her bedchamber, where she complained for that your Highness did not answer her expectation for admitting her into your presence forthwith."

Her own declarations of innocence she had supposed would be taken as sufficient answer to the charges against her. As she found that there was to be an enquiry, she forgot that when she wished to work on Elizabeth's feelings she had represented herself as flying out of her realm "to save her life;" she now said "that she had come freely, and not of necessity, and she desired to be allowed to pass into France, to seek aid at other Princes' hands."

Knollys told her that England could not allow a French force to be landed in Scotland; but if she would throw herself without reserve upon Elizabeth, "all convenient means would be used for her relief and comfort," whether she could prove her innocence or not.

But she had not come to England to seek "relief and comfort" qualified with the word convenient. Impressed by her evident spirit and daring, Knollys saw at a glance that she was a person with whom it would be dangerous to trifle. Elizabeth had ordered him to prevent her escape, yet not to treat her as a prisoner. Difficulties of many kinds would arise from so ambiguous a commission, and after his first interview he recommended that she should be offered the alternative either of returning to Scotland as she had

come, or of remaining with her own consent in England till an arrangement could be made for her. For himself he believed that she would choose to remain. She would know that if she returned, a hint to the Earl of Murray would render her escape to France almost impossible. To keep her against her will in England, a prisoner yet not a prisoner, so close to the Borders, would be altogether impossible; and to carry her "further into the realm might be a way to a dangerous sedition." [1]

The more Knollys saw of Mary Stuart the more he was struck with her — struck with her courage, struck with her contempt for idle form and ceremony, her downright human force and vigour. He spoke to her with most Puritan plainness on her past history. She did not avoid the subject, but burst habitually into violent invectives against her brother and the Lords.

"I thought to myself," he wrote a day later, "that if I should not object somewhat to make the matter disputable whether the Lords did well or not, that then she would be the more clamorously offended with your Majesty if you should not answer her requests according to her expectation. Wherefore I objected to her that in some cases princes might be deposed by their subjects lawfully — "as, if a Prince should fall into madness — and," said I, "what difference is there between lunacy and cruel murdering? for the one is an evil humour proceeding of melancholy, and the other is an evil humour proceeding of choler. The question is, whether your Grace deserved to be put from the Government or not; for if your Grace should be guilty of any such odious crime as deserved deposal, how should they be blamed that

[1] Knollys to Elizabeth, May 29: *Cotton MSS.*

have deposed you?" Hereupon her Grace began to clear herself after her accustomed manner. The tears fell from her eyes. I said your Highness would be gladdest in the world to see her Grace well purged of this crime, that thereby your Grace might aid her fully and amply to her advancement to the Government again." [1]

June. Mary Stuart never resented direct speaking. After a fortnight's experience Knollys wrote to Cecil: — "This lady and Princess is a notable woman. She seemeth to regard no ceremonious honour besides the acknowledgment of her estate royal. She showeth a disposition to speak much, to be bold, to be pleasant, to be very familiar. She showeth a great desire to be revenged of her enemies. She shows a readiness to expose herself to all perils in hope of victory. She desires much to hear of hardiness and valiancy, commending by name all approved hardy men of her country, although they be her enemies; and she concealeth no cowardice even in her friends. The thing she most thirsteth after is victory; and it seemeth to be indifferent to her to have her enemies diminished either by the sword of her friends, or by the liberal promises and rewards of her purse, or by divisions and quarrels among themselves. So that for victory's sake pain and peril seem pleasant unto her; and in respect of victory, wealth and all things seem to her contemptuous and vile. Now what is to be done with such a lady and Princess, or whether such a Princess and lady be to be nourished in our bosom, or whether it be good to halt and dissemble with such a lady, I refer to your judgment. The plainest way is the most honourable in my opinion.

[1] Knollys to Elizabeth, May 30: Printed by Anderson.

The easiest way is to aid and countenance the Regent in time; and if these spots in the Queen's coat be manifest, the plainer and sooner her Highness doth reveal her discontentation therewith, the more honourable it will be; and it is the readiest way to stop the mouths of factious murmuring subjects." [1]

"The plainest way was the more honourable way." So Maitland had said also, perhaps with a reserve in favour of himself and his friends. So without any reserve had Cecil, Bedford — every honourable minister that Elizabeth possessed — declared to her from the first; but Elizabeth had not listened, and did not intend to listen.

Mary Stuart's single anxiety was to gain admission into Elizabeth's presence. She knew instinctively that if she could obtain that, she would obtain everything. After reflecting for a night on the letter brought by Knollys, she determined to send Herries and Fleming to London to give such explanations as would satisfy the Queen if she wished to be satisfied, and to say that if the Queen would consent to see her, she was able to clear herself fully, and only wished for an opportunity to do it; that however time was pressing; she had come to England for assistance against her insurgent subjects; she had preferred to seek for it from Elizabeth, because she looked upon her as her truest friend. Elizabeth, moreover, was in a sense the cause of her misfortunes, for the Lords who had now driven her from her country were those whom she had pardoned and taken back into favour at Elizabeth's intercession. Others would assist her if Elizabeth would not; but she turned first to her neighbour and kinswoman. She made no conditions. "She placed her cause un-

[1] Knollys to Cecil, June 11: Anderson.

reservedly in Elizabeth's hands, and she believed she would not appeal to her in vain. But help would be useless if it was not immediate; and if Elizabeth for any reason declined to interfere, so as she had come to England relying on many times repeated promises of friendship, she trusted she would be allowed at least a free passage through the country to go where she pleased."[1]

With this message, and with an anxiety not wholly gratuitous for the possible consequences to themselves,[2] the two noblemen started for London; Herries intending to remain there, Fleming, if he could obtain permission, to go on to Paris. Herries was to assure Elizabeth that the Queen of Scots preferred her friendship to that of all the world. Fleming was to tell Catherine de Medici that the Queen of Scots, being forbidden by Elizabeth to seek help from France, was obliged for the present to seem to submit; but France was her natural ally. Should Elizabeth trifle with her, she entreated that 3000 French troops might be sent immediately to Dumbarton, and she herself, as soon as she could extricate herself, would make haste to Paris. Her friends in Scotland meanwhile were in urgent need of money, her dowry was three years in arrears, and she requested the Cardinal of Lorraine to send her twenty-five or thirty thousand pounds immediately through some London agent.[3]

Elizabeth, on receiving the Queen of Scots' letter, construed it into a consent that there should be a com-

[1] "Me fiant en vostre amytié pour vos frequentes lettres."—Mary Stuart to Elizabeth, May 28: Labanoff, Vol. II.

[2] Knollys told Cecil that "if her Majesty did mean to detain the Queen of Scots at Carlisle, he should beware that the Lord Herries returned not thither again." Knollys to Cecil, May 31: *Cotton MSS. Calig. B.* 2.

[3] Instructions to Lord Fleming, May 30: Labanoff, Vol. II.

plete investigation, which she assumed or seemed to assume must issue in the condemnation of the Lords. She told Herries that she intended to restore the Queen of Scots to her throne. She sent a Mr. Middlemore, a gentleman of the Household, to Murray, requiring him "to abstain from all acts of hostility against the Queen's friends, both by law and arms," and "to impart to her plainly and sufficiently the grounds of his proceedings." She addressed him as a criminal on his defence, called to answer for a rebellion against his sovereign.[1] But she refused Lord Fleming a passport to France. "She was not wise," she said, "but she was not so wholly bereft of her senses as to allow the Chatellain of Dumbarton," the one fortress in Scotland which was open to reception of a French force, to go on a mission the object of which could be only the introduction of the French into the country.[2]

A second set of instructions to Middlemore in Cecil's hand qualified towards Murray the Queen's severity. The interdiction of further hostilities was explained into a friendly advice "not to hazard himself and his friends by way of battle," "but to be content that the universal controversies might be ended otherwise than by shedding of blood:" if "he should find his adversaries bent to extremity, and that there was no other way for defence of himself but to levy his force," Elizabeth "meant not, in respect that he had heretofore remitted himself to her orders, to suffer him to be oppressed."[3] The two attitudes, inconsistent with each other, were complicated still more by a private message which Wood, Murray's secretary, had sent down in

[1] Elizabeth to Murray, June 8: *MSS. Scotland, Rolls House.*

[2] Elizabeth to the Queen of Scots, June 30: *MSS. Queen of Scots, Rolls House.*

[3] Elizabeth to Middlemore, June 8: *MSS. Scotland.*

Cecil's name, that he should be quick in his measures, and if possible crush the Hamiltons and their faction before Middlemore arrived.

The Regent's experience of the Queen of England must have prevented him from feeling surprise at such ambiguous orders, however much it perplexed his position, and left the door open to endless recrimination in the future. He had been exerting himself to the utmost since Langside in quieting the country and trampling out the disaffection. It remained his duty as a ruler to prevent open violation of public law. He continued to repress and punish overt acts of disorder, giving his proceedings as little as possible a political character; while to Elizabeth he announced that he desired nothing better than to place himself and his friends in her hands. "The further her Highness dipped into the matter the further she would find herself resolved," the more completely she would be satisfied "that the noblemen of Scotland had not entered upon this enterprise without good ground and occasion." [1]

Perhaps to give Murray more time, the same messenger who carried the Queen's directions to him was sent round by Carlisle to the Queen of Scots. To her Elizabeth could but repeat what she had said already. "She could not receive her in such sort as she would if she were not taxed with a horrible crime;" but she intended to take her and her cause into her protection, and according to the justice of her plea would prosecute her adversaries.

Her communications with Mary Stuart Elizabeth preferred to write with her own hand, not trusting them to Cecil.

"Madam," so ran the letter with which Middle-

[1] Murray to Elizabeth, June 22: *MSS. Scotland.*

more was charged, "I have heard at length from my Lord Herries your desire to defend yourself, in my presence, from the matter laid to your charge. Oh, Madam! there is not a creature living who more longs to hear your justification than myself; not one who would lend more willing ear to any answer which will clear your honour. But I cannot sacrifice my own reputation on your account. To tell you the plain truth, I am already thought to be more willing to defend your cause, than to open my eyes to see the things of which your subjects accuse you. Did you but know who the persons are by whom I am warned to be on my guard, you would not think that I could afford to neglect these warnings. And now, seeing that you are pleased to commit yourself to my protection, you may assure yourself I will have that care both of your life and honour, that neither yourself nor your nearest relations could be more concerned for your interests. On the word of a Prince, I promise you, that neither your subjects, nor any advice which I may receive from my own Councillors, shall move me to ask anything of you which may endanger you or touch your honour.

"Does it seem strange to you that you are not allowed to see me? I entreat you put yourself in my place. When you are acquitted of this crime I will receive you with all honour; till that is done I may not; but afterwards, I swear by God, that I shall never see person with better will, and among all earthly pleasures I will hold this to be the first.

"The gentleman who will give you this letter will tell you the commission with which he is charged to your subjects. I have held no communication with them since your first imprisonment, nor would I do so now except for your own advantage. I trust I may

succeed in bringing these sad matters to a good end. There is no one thing in all the world which I desire so much. The sufficiency of the bearer is such that I need not trouble you with a longer letter. God be with you in all your good actions, and deliver you from those who bear you malice."[1]

There spoke Elizabeth herself — Elizabeth and not Cecil. The Queen represented one aspect of the Government, the Minister another. To the Queen, Murray was a rebel; to Cecil, he was the saviour of Scotland. In this and in all the complicated actions of English policy, sometimes one element prevailed, sometimes another; sometimes the two interfused, yet never wholly mingling. The Queen was the imperious sovereign; Cecil, the clear-eyed Protestant statesman; and thus a picture is for ever left upon the mind of inconsistency, hypocrisy, and broken faith; when Elizabeth — only too often — yielded to her own impulses, and was then driven to shifts to extricate herself from positions, of which Cecil's steady sense showed her the weakness or the danger.

It was essential that the party in Scotland who were intriguing to bring over the French, should be put down with the least possible delay. The more completely Murray could pacify Scotland, the more easy would be the intended compromise. Elizabeth might have avowed as much as this in the face of Europe without danger. It was essential also that the Queen of Scots' guilt or innocence should be fully established; yet Elizabeth could tell her on the word of a Prince that she was inviting her to consent to nothing which could affect her honour, as if it was impossible that the enquiry should terminate unfavourably.

[1] Elizabeth to Mary Stuart, June 8: *MSS. Queen of Scots, Rolls House.*

Nor was this all. With her own people Elizabeth pursued habitually a course so peculiarly trying, that the best of them were often tempted to abandon her service. Particular things became, from time to time, necessary to be done which she did not choose to order, and her ministers had to act on their own responsibility, that she might be able afterwards to disown them. Scrope and Knollys were directed to see that the Queen of Scots did not escape; yet she would give them no authority to hold her prisoner. Under these circumstances she could not be left safely at Carlisle. The Council, with a view simply to her safe keeping, concluded that she must be removed further into the country; and Pomfret and Fotheringay had both been thought of. Elizabeth knew and approved. She directed Middlemore to persuade the Queen of Scots to consent, by representing it as a partial accomplishment of her own desire to be taken to the Court; "so as the cause should grow, to be advanced to a fuller degree of her own contentation." [1] If, however, she refused to go, those in charge of her were left without direction how to proceed; they might remove her by force, but only at their own peril.

If the extreme difficulty of the position may be allowed to palliate these subterfuges, no such excuse can be urged for those acts of occasional meanness which wounded Elizabeth's reputation, in the contempt excited by them, more deeply than the most high-handed injustice.

In the flight from Langside Mary Stuart had of course brought no change of dress with her, and neither Dundrennan nor Carlisle could supply her wardrobe

[1] Instruction to Middlemore, June 8: Printed in Anderson.

with ordinary clean linen. She had represented her condition in her first letter. Elizabeth sent her a couple of torn shifts, two pieces of black velvet, and two pairs of shoes.[1] The Queen of Scots, herself generous to extravagance, was at first disposed to decline this extraordinary contribution to her comfort.[2] She received it in silence, with a manner "which argued rather her scornful acceptation of the same than grateful;"[3] and Sir Francis Knollys, by whom the things were presented, was obliged for shame to shield his mistress by saying that he thought "her Highness's maid had mistaken, and had sent things necessary for such a maid-servant as she was herself."[4]

The Queen of Scots' bodily necessities were relieved speedily by the arrival of her own dresses, sent by Murray from Lochleven. Her own ladies followed to attend upon her. She had no further inconvenience, in this way; but Elizabeth, who was in reality her best friend, who was fighting for her against all her own ministers, and guilty or innocent, wished only to give her a fresh chance upon the throne which she had forfeited, with these poor mean tricks taught her only to mistrust the sincerity of words so indifferently supported, and still more fatally to despise her character and underrate her ability.

"Halting on both knees" meanwhile, as Knollys and Scrope described their condition, her guardians had struggled till Middlemore arrived to keep their uneasy guest in tolerable humour. Large numbers of Scots

[1] "M. de Montmorin me dice que lo que se le envió de parte de la Reyna quando llegó fueron dos camisas ruines, y dos piezas de terciopelo negro y dos pares de zapatos y no otra cosa." — De Silva á su Magd, 27 du June: *MS. Simancas.*

[2] Knollys to Cecil, June 15: *Cotton MSS., Calig. B.* 9.

[3] Same to the same, June 12: Anderson.

[4] Ibid.

came across the Border to see her in sufficient force, if they had tried, to overpower the garrison. Twice they took her hunting, but "she galloped so fast," her retinue were so well horsed, and the Border was so near, that when she wanted to go out again, they were obliged to tell her "that she must hold them excused."[1] The country about Dumfries was under the Maxwells, and was the stronghold of her friends. During the troubles of the winter and spring, wild bands of thieves had swarmed out of those parts again and again, and harried the Cumberland marches. They were dangerously near Carlisle, and Cecil having given a hint to Murray, their past disturbances were made a pretext for a joint visitation of the Border by the English and Scotch wardens. Murray came down in person, and Scrope took the field to act in concert with him. The plea of justice was real, but it assumed a political meaning. The offenders who were to suffer were chiefly the tenants of Lord Herries. The Queen of Scots exclaimed that it was a breach of faith. She was answered that it was mere matter of police. She desired that if the people were pressed by the Regent they might take refuge in England. Scrope told her that he could not depart from the usual order. When the wardens hunted in pairs it was to cut off from the thieves the possibility of escape. If her party were weaker they had better submit. She flung out like a hot horse as she felt the rein.

"The Queen," said Knollys, "being dedicate only to revenge in hope of victory by the aid of strangers, could not forbear to say that she had liefer all her party were hanged than that they should submit to the Earl of Murray. If she were not detained by force she

[1] Knollys to Cecil, June 15: *Cotton MSS., Calig. B.* 9.

would go to Turkey rather than she would have peace. She wished herself again in her own realm to abide all adventures. Her Highness's Council did mean to dally and delay the time to the advancement of the Earl of Murray's prosperity." [1]

In this humour Middlemore found her. In saying that she would commit her cause to Elizabeth, she had never dreamt of consenting to an investigation into her past conduct. She had meant only that she would accept Elizabeth's support in preference to that of France; and she had trusted to her own entreaties, or to the skill of Herries, to have obtained Elizabeth's consent, either to her coming at once to London, or else to her free passage into France. Middlemore had to say to her, that "before declaration of her innocency of the foul fact laid against her," she could not be received at the Court. The detention of Fleming and Elizabeth's letter told the rest. The fair words and fair promises could not conceal that the cause of her dethronement was to be examined into; and if her letters were once produced, it was idle to tell her that her honour would not suffer.

She said she would answer to the Queen — let the Queen admit her to her presence, and hear her scatter her subjects' calumnies. Middlemore said that for Elizabeth to receive her, would defeat the purpose; "the world would say her Majesty was partial, and no competent judge;" "the other side would not accept her Majesty's arbitration, and she would be unable to help her."

This was still worse: Elizabeth was not to be partial — the other side were to be heard, and would of course bring out their proofs. Had Mary Stuart been

[1] Knollys to Cecil, June 12: Anderson.

innocent, she would have welcomed the opportunity of the fullest and freest enquiry — had she been innocent, she would have been the first to insist that the truth should be dragged out — but the caught bird could only batter its wings against the bars of its cage in hopeless rage.

She burst "into great passion and weeping," complaining of her evil usage. She had no judge but God, she said; "none could take upon them to judge Princes." She "knew her degree," and in placing herself in the hands of Elizabeth, she had meant only to give her own personal explanation of what had passed. "I would and did mean," she said, "to have uttered such matter unto her as I would have done for no other, nor never yet did to any. Who can compel me to accuse myself? I see how things frame evil for me: I have many enemies about the Queen. If she will not help my misery herself, she can do no less than suffer me to pass to other Princes."

Middlemore made the dishonest suggestion of her removal from Carlisle. She asked fiercely if she was a prisoner. He said "that there was no such thing meant," but she was not to be played with. Elizabeth she said, should gain nothing by keeping her. The Duke of Chatelherault was heir of Scotland after the Prince. She would appoint the Duke her deputy, and he would "prosecute her quarrel" with all the power of France, and all the means which money, friends, religion, hate of England, or any other interest could hold to her side.[1]

"To be plain with you," wrote Knollys,[2] "there is

[1] Middlemore to Cecil, June 14: Anderson.
[2] Knollys to Cecil, June 13: Ibid.

no fair semblance of speech that seemeth to win credit with her. This cold dealing will not satisfy her fiery stomach. It is vanity to think she will be stayed by courtesy or bridled by fear from bringing the French into Scotland, or from employing all her force of money, men of war, and of friendship, to satisfy her bloody appetite."

"Put away from your mind," Mary Stuart herself wrote to Elizabeth, "put away the thought that I came hither to save my life. Neither Scotland nor the world would have refused me a refuge. I came to recover my honour and to obtain help to chastise my false accusers — not to answer these charges against me as if I were their equal, but myself to accuse them in your presence. For the cautions which you say you have received from great persons, God forbid that I should be a reproach to you; but my cause requires haste. Let me try what other Princes can do for me, and no blame will then rest with you. Restored to my throne by their hands, I will then come again to you, and defend my honour for my honour's sake, and not for any need to answer to my traitor subjects. Innocent as, thank God, I know myself to be, do not wrong me, having so late escaped from one prison, by holding me in another; with your delays and your uncertainties you hurt me more than my false enemies. I will defer myself to you in friendship and good-will, but never, never to plead my cause against my subjects unless they stand before you in manacles. Madam, I am no equal of theirs, and I would sooner die than so, by act of mine, declare myself." [1]

From Mary Stuart Middlemore went on to Murray.

[1] Mary Stuart to Elizabeth, June 13 (abridged): Labanoff Vol. II.

He found him on the Border with "six thousand men and great artillery," and he told him that it was the Queen's pleasure that he should desist from further hostilities. But the Regent was not attacking enemies but punishing outlaws. Under this plea, in Middlemore's presence, and without remonstrance, he burnt the houses of Lochinvar and another Border gentleman, who were with the Queen of Scots at Carlisle. Next he read as sharp a lesson to the Maxwells; Scrope watching the marches opposite, and in the English proclamations in the Border towns recognising Murray, if not as Regent yet as lawful governor of Scotland.[1]

The change of phrase could not conceal from Mary Stuart that Murray's authority was virtually acknowledged. Knollys tried to pacify her by saying simply that her brother was in possession of the Government, and as such they were obliged to treat with him; "he had no other countenance than the necessity of the case did require." But she saw too plainly what all these symptoms meant; while she was in Scotland in prison, Elizabeth had called the Lords rebels, and had helped the Hamiltons to make a party against them; now it was clear enough that Murray was to be sustained in power till the impossible time when, after public enquiry, she had cleared her own character.

"I would the Regent had her again," said the perplexed Knollys; "surely I think you shall see her grow so impatient and so intolerable in her devices

[1] Between the realities and the pretences of things, Scrope was on ticklish ground. "If we had not advised ourselves better," wrote Knollys, "the name of Regent had been in the proclamations; but I was troubled this last night withal in my bed, and in the morning we altered it to the name of Governor, and some other things withal." — Knollys to ——, June 16: *Cotton MSS., Calig. C.*

and practices shortly, that it will be time for her Highness to deal plainly and sharply with her." [1]

In London, meanwhile, Herries and Fleming were finding themselves no less embarrassed. It was no object of theirs to obtain the conditional and limited restoration of the Queen of Scots with the continued supremacy in the government of Murray and the Protestants. These, they saw, were the best results which they could look for from the threatened enquiry, and they had rather hoped to prevent enquiry altogether.

In an audience on the 17th of June Herries attempted a protest. His mistress, he said, would have risked the worst which could befall her in Scotland, had she known how she would be treated. Elizabeth answered that she had taken charge of the cause and would go through with it; she intended to restore the Queen of Scots to her crown, either by "appointment" or by force; but she must hear both sides before she would determine the conditions.

Herries said that she had no right to constitute herself a judge between the Sovereign and subjects of a foreign realm. She replied that she would not quarrel for the name of judge, but on the reality she intended to insist.[2]

Matters were now looking serious. Herries's worst anticipations were being confirmed. A full meeting of the Privy Council was held on the 20th of June to consider Middlemore's report of his interview with Mary Stuart.[3] It was resolved unanimously or with

[1] Knollys to ——, June 17: *Cotton MSS., Calig. C.* Progress of the Regent of Scotland, beginning the 11th day of June, 1568: *Cotton MSS.*, Ibid.

[2] M. de la Forest au Roy, June 19: Teulet, Vol. II.

[3] Present, Bacon, Norfolk, Northampton, the Lord Steward, Arundel, Bedford, Leicester, Clinton, the Lord Chamberlain, Cecil, Sadler, and Sir Walter Mildmay.

no expressed disagreement, that the Queen of Scots, whether she would or not, must be brought further into England; that, notwithstanding her objection, the investigation into the murder of Darnley should proceed; and that for "avoiding of all mistakes" the Ambassadors of the Great Powers should be present when it took place. Her request either to be restored to her crown, or to be allowed to leave the realm "without trial heard," could not be assented to. To restore her thus would be to declare her innocent of the crimes with which she was charged, and would enable her to crush and ruin the best friends that England possessed among her subjects.

To let her go would be to throw her upon France; and "her Majesty would never be free from practices and enterprises." To restore her "in title and name, without authority of government," was thought "so hard a matter," that it would be even dangerous to proceed that way. She would "burn with hate and revenge." The French and the Pope would take up her cause; and after her breach of faith on the treaty of Leith, no promises which she might make could be relied upon.[1]

The Council, in Matthew Parker's language, felt that "they had the wolf by the ear," and were under no mistake about the animal's character.[2] Arundel and Norfolk probably had opinions of their own, but they hesitated to give voice to them. Lord Fleming consulted the Spanish Ambassador. He begged De Silva to impress on Philip that the Queen of Scots

1 Proceedings of the Privy Council, June 20: Anderson.

2 "I am much careful for the success that may rise to the Queen's Majesty and the realm by the arrival of the Scottish lady. I fear quod bona Regina nostra auribus lupum ferret. God grant the event of your Council to be prosperous." — Matt. Parker to Cecil, June 11: *Domestic MSS.*

was a devoted Catholic, and, as such, deserved his support; advice, he thought, might be given to Elizabeth, that the course which she was pursuing was a dangerous one, and he enquired whether it might not be possible to bribe Cecil and Bedford and Pembroke.[1] "I told the Lord Fleming," said De Silva, "that for the present his mistress had better submit to the Queen of England's wishes, and avoid giving her cause for offence. Time would show how he could best work on those who were now opposed to her. They were greedy of money, doubtless; but they might not choose to commit themselves; and he should approach them first by other and better means. Above all, he should warn his mistress to be careful what she said about the Queen of England to the nearest friend that she possessed.

"The Lord Fleming," De Silva continued, "informed me that he had secured the support of the Duke of Norfolk, and I think he has. If it prove so, the Queen of Scots will have a strong party in the country, for the Duke is much beloved and has many friends. Men change so fast that the old party who used to support her seem already to have forgotten the crimes laid to her charge; and unless means are taken to get rid of her, the Queen of England will find herself in more trouble than she imagines."[2]

De Silva's opinion of the Queen of Scots had been so distinctly formed and so repeatedly expressed in his letters, that she had ceased to be an object of interest either to himself or to Philip. He had thought and

[1] "Lo que deseaba que le advirtiese fué que orden podria tener para que su Reyna hiciese lo que le conviniese, y tuviese de su parte á los Condes de Pembroke, Bedford y á Cecil, que eran sus contrarios, y si seria bueno darles algun dinero." — De Silva to Philip, June 20, 1568: *MS. Simancas.*

[2] Same tc the same: *MS.* Ibid.

he had said that she could be no longer looked to for the purposes for which they had once hoped to make her useful. The confidence, therefore, so far, between himself and Elizabeth had been unimpaired. He had spoken with perfect freedom to her about the Queen of Scots, because he had nothing to conceal. But Philip's policy would naturally follow the wishes of the Catholic noblemen in England. If Norfolk and Arundel were contented to overlook the Queen of Scots' misdoings, foreign Princes had no reason to be more scrupulous.

Both Fleming and Herries threatened Elizabeth freely with the displeasure of the Catholic Powers, and claimed especially "the King of Spain" as one of those to whom the Queen of Scots would appeal; and Elizabeth's recent experience made her begin to feel uneasy.

De Silva paid her a visit on the day of his conversation with Fleming. She did not mention the Queen of Scots' name; and when De Silva approached the subject, she gave him cold answers.

"I saw that she suspected me," he wrote, "so I said that she knew my anxiety for her welfare. She knew how much I wished that she should extricate herself successfully from her present embarrassment; and I recommended her, therefore, in the first place, to keep a sharp eye upon myself.

"She stared, laughed, and said that she understood what I meant; and she believed I wished her well. She intended, she said, to remove the Queen of Scots from the Border, whether she liked it or not; and she would not see her until she had cleared her reputation; but she had sent for the Earl of Murray, and would go into the matter as soon as possible. The result

which she expected from it was that the abdication at Lochleven would have to be treated as a dead letter; the Queen of Scots would be restored, but under conditions that the administration of Government should remain with those who were now in power. To France, at all events, she is not to go." [1]

To this general resolution Elizabeth firmly adhered. Herries continued to remonstrate. He insisted, like his mistress, that a sovereign Prince ought not to be made to answer to the accusations of her subjects. Elizabeth said that she wished only to find a means by which the Queen of Scots could be acquitted. This once done, she should be at once replaced with honour.

"But suppose," said Herries, "as God forbid, that my mistress should not be completely acquitted?"

"In that case," she said, "I will do my best. I will not encourage subjects in rebellion for any manner of cause; I will make arrangements which will save her honour and restore her, notwithstanding."

Herries made one more effort.

"If your Highness will not help my mistress," he said, "then let her go. Do not treat her worse than you would treat any common Scot or Frenchman who might come into your realm. Entertain her in England as you will; spend a thousand pounds a day upon her maintenance; all the splendour will but sicken her if you do no more. She would sooner go back to Scotland in the same boat in which she came, and seek her fortune through the world, than remain in this realm, excluded from the presence of your Majesty."

He was wasting his words. Elizabeth stood to the position that she would hear the cause first and then

[1] De Silva to Philip, June 20: *MS. Simancas.*

decide. "As to her going to France," she said, "I will not lower myself in the eyes of my fellow-sovereigns, by acting like a fool. The King, her husband, when she was in that country, gave her the style and arms of this realm. I am not anxious for a repetition of that affair. I can defend my own right. But I will not, of my own accord, do a thing which may be turned to my hurt. To let her return to Scotland as she came would be neither to her honour nor mine. I will use my best diligence, and settle matters with as much speed as may be." [1]

With this resolution Lord Herries was obliged to be content; there was nothing left but to make the best of it. Elizabeth insisted on enquiry, but whatever the result, she still undertook that the Queen of Scots should be reinstated, and her honour saved. The truth — that is to say, whatever it might prove to be — was not to be made public to the world. Whether such a plan would turn out practicable, might easily be doubted; but her intention, which Herries took care to publish, produced an effect in Scotland which she might or might not have foreseen.

Since the Lords, at all events, were to expect to receive their Queen again among them, they began naturally to calculate how far it would be safe for them to press their charges. "To charge her directly with the murder, and then to enter into a qualification with her, all men might judge how dangerous that should be;" and Murray, not choosing to step forward in the dark and make himself Elizabeth's cat's-paw, immediately sent translations of the casket letters

[1] Notes in Cecil's hand, describing the occurrences of May and June, 1568: *MSS. Queen of Scots, Rolls House.* Lord Herries to Mary Stuart, June 28: Teulet, Vol. II.

to London. He said that he could produce the originals, and prove them to be in the Queen's hand. He desired to know whether they were to be admitted in evidence; and if admitted, what effect would follow.[1]

It is usually said that Elizabeth's object in insisting on the investigation was to disgrace the Queen of Scots in the eyes of Europe, that she might be able, with better show of justice, to keep her afterwards a prisoner. Had this been her purpose, the answer to Murray's questions would have been easily made. But the disgrace was exactly what she wished to avoid. She wished only that so much evidence should be brought forward as would justify the Lords in their rebellion, and would justify Elizabeth also in restoring the Queen with a character slightly clouded; to be maintained under her own protectorate, and with her hands so bound as to incapacitate her from further mischief.

She replied to Murray's questions, "that she never meant to have the Queen accused; she desired merely to hear what the Lords had to say for themselves," as a step towards a quiet end; "she did not mean so to deal in the cause as to proceed to any condemnation of the Queen of Scots, but rather to compound all differences between her and her subjects, and not to allow any faults that should appear to be in the Queen."[2]

Had both the Lords and Mary Stuart placed themselves unreservedly in Elizabeth's hands, this programme would have been probably carried out, and she would have been allowed once more to try the experiment of sovereignty; but the Lords on their side

[1] Notes of matters to be reported to the Queen's Majesty of England, June 24: *MSS. Scotland, Rolls House.*

[2] Questions and Answers, June 30, in Cecil's hand: Anderson.

had too much reason to be distrustful, and to the Queen of Scots Elizabeth's character was an enigma. The tortuous rind of a disposition which at heart was sincerely well disposed to her she construed into elaborate hypocrisy, and she was too proud to take back her crown on such conditions, if she could have persuaded herself that Elizabeth would give it to her.

Bolton Castle, in Yorkshire, had been selected as the place to which she was to be moved. She told Knollys that she would not go there unless she was carried. She wrote to her French uncles to say that her life was in danger through her fidelity to the Catholic religion. "She had made great wars in Scotland," she said to her keepers. "She prayed God she made no troubles in other realms also." "If they kept her prisoner, they should have enough to do with her."[1] In the belief that she would make some desperate effort to escape before she could be moved, her windows were grated with iron. Her male servants were sent out of the castle at sunset; and when she walked or rode she was attended by a hundred of the Berwick guard.[2] She carried out her threat of delegating her sovereign power. Chatelherault, who was in Paris, was appointed Regent in her name. Arbroath and the Archbishop of St. Andrew's were commissioned to represent the Duke in Scotland, till he himself could bring a French army to Dumbarton;[3] while in England, her agents were incessantly busy at the houses of the Catholic Peers.

Elizabeth frankly admitted to De Silva the difficulties in which she found herself. What to do with the Queen of Scots, unless to send her July.

[1] Knollys to Cecil, June 21: *Cotton MSS., Calig. C.*

[2] De Silva to Philip, June 27: *MS. Simancas.*

[3] Commission by the Queen of Scots to the Duke of Chatelherault, July 12: Labanoff, Vol. II.

back as a titular sovereign, she could not tell. If she was restored with any kind of power, she would crush Murray and the Lords. If she was kept in England, she would breed an insurrection. Darnley's murder seemed utterly forgotten; and she had explained away her marriage with Bothwell by pretending that it was forced upon her, and the Catholics easily believed what they wished to be true.[1]

But, so long as she addressed herself to France rather than to Spain, Elizabeth could feel comparatively safe. Philip, for his own sake, would never permit France to meddle in England; and Philip was, as yet, holding out no note of encouragement to Mary Stuart to turn her thoughts towards himself.

De Silva had given cold answers to Fleming, however he had jested with Elizabeth about his own dangerous character.

The Queen of Scots wrote herself to Philip in the usual strain, representing herself as a martyr for her religion — sacrificed to an heretic conspiracy. She drew piteous pictures of the sufferings of the band of saints who were perishing for her cause and Heaven's.[2]

Philip expressed considerable doubt whether she had any religion at all.[3] He contented himself with sending a general message of good-will, and cautioned his ambassador against committing himself with her in any way.[4]

Hoping that it might be so, yet necessarily uncertain, Elizabeth could only persevere in the course which she had marked out for herself.

On the 13th of July, the threatened move to Bolton

[1] De Silva to Philip, July 3: *MS. Simancas.*
[2] Mary Queen of Scots to Philip, July 11: *MS.* Ibid.
[3] Mary Stuart to Philip, November 30: Labanoff, Vol. II.
[4] Instructions to Don Guerau de Espes: *MS. Simancas.*

was carried into effect in spite of extreme "stout threatenings," and other "tragical demonstrations."

Elizabeth had still sent no orders, but Knollys knew what he was to do; after a fruitless attempt to bring his prisoner to consent, he let her understand that her consent would be dispensed with; and when she found that resistance would be useless she submitted.[1] She had to submit also to the discovery that neither France nor Spain was in any hurry to move for her; and that assistance, if it came at all, would be too late to ward off the detested enquiry. It was necessary to try some other plan, and, ever quick and adroit, she caught at a weapon, which might either protect her from Elizabeth or quicken the languor of the Catholic Powers.

A favourite scheme of the Queen of England was to model the Church of Scotland after her own; to introduce North of Tweed, bishops, gowns, surplices, and the English Liturgy, which the Scots had adopted and had abandoned under the influence of Knox. She detested Puritans and all their works; she believed that the compromise which promised to answer in England would answer equally across the Border, and that Catholic and Calvinist could unite upon it as a common ground. She knew that the party at present in power in Scotland would listen to no such proposal. Mary Stuart was well aware of Elizabeth's wishes. They had been more than once directly communicated to her, and the proposal had been renewed to Lord Herries. Finding that he could not alter her general purpose, Herries had enquired what the conditions of the restoration were to be *if the examination turned out unfavourably?* Elizabeth said that the Queen of Scots would have to ratify the treaty of Leith; to re-

[1] Knollys to Cecil, July 14: *Cotton MSS., Calig. C.*

linquish her alliance with France; to submit to be divorced from Bothwell; and allow him to be prosecuted and punished.[1] "She must also abandon the mass in Scotland, and receive the Common Prayer after the form of England." If she would make no difficulty on these points, the matter could easily be arranged; and Elizabeth repeated her promise that she should be reinstated in her realm.

The terms were better than might have been expected. If the Queen of Scots were to be replaced at all events, it became gradually clear to Herries that Elizabeth could not wish to press the enquiry too far; and he withdrew his objections to it. "As to religion," he said, "he wished it in his heart to be in Scotland as it was in England," and he believed that all the Queen's friends there would be satisfied to have it so.[2]

Thus instructed, Herries had taken leave of Elizabeth, and had gone down to Bolton to lay the proposals before his mistress. Instantly seeing her advantage, after some decent "show of scruple," she consented to all the conditions. She knew that the Lords would refuse the last — she knew that by seeming to agree to it, she could gain a point against them. As if she had undergone a sudden metamorphosis, she ceased to threaten or complain; she grew submissive, gentle, and compliant. She wrote to Murray in a tone half conciliatory, half mildly reproachful. She began a diligent attendance at the sermons and service in Bolton Church. She won Knollys' heart, and half disarmed his suspi-

[1] Even Lord Herries admitted that she ought not to be restored unconditionally. "The Lord Herries," wrote Knollys, after a conversation with him, "mislikes not in words that she should be bridled in her regiment by the assistance of noblemen of the realm, in consideration of her rashness and foul marriage with the Earl of Bothwell, whom he would have persecuted to death." — Knollys to Cecil, July 28: Anderson.

[2] Herries to ——, July 28: *MSS. Queen of Scots, Rolls House.*

cions, by the complacency with which she listened while the castle chaplain declaimed against Papistry. She even learnt to use the slang of Protestant theology, "seeming repentantly to acknowledge that her offence and negligence of her duty towards God had justly deserved the injurious punishments and disgrace done to her by her adversaries."[1]

These symptoms were hopefully reported to Murray, and he was at the same time informed officially that his sister was certainly to be restored. The English had yet to serve a long apprenticeship before they would understand the person with whom they were dealing. Murray had a longer experience, and knew her better. He could but say that he trusted the Queen of England was consulting for "God's glory in what she was doing, so he and his friends might be the less careful of their own." To Mary Stuart's letter to him he replied briefly, courteously, but with no confidence. She had charged him with having sought her life. He said that if he had been as willing August. to shorten her days as the Hamiltons, who were now disturbing Scotland in her name, she would long before "have been rid of her mortal life." He called God to witness that he had dearly loved her; and for his other offences "he was ready to give account at all times, and would be found to have done nothing but the duty of an honest man, and of a good member of the commonwealth of which he was born a subject."[2]

As to her piety and Church of Englandism, Murray told Scrope he was glad to hear that she had become so religious, and he would be more glad if he believed

[1] Knollys to Cecil, July 28: Anderson.

[2] Murray to the Queen of Scots, August 7: *MSS. Queen of Scots, Rolls House.*

ner sincere; otherwise "her resorting to the Kirk of England did but serve her turn to move godly men to conceive a good opinion of her conformity and towardness." [1]

She could not blind Murray; but that was of no importance if she could blind Knollys, and, through Knollys, Elizabeth. The next point was to alarm the Catholic Powers, by intimating that if they did not help her she would be driven to change her religion.

"The Queen," she wrote to De Silva, "promises to compromise matters between me and my rebels, and to restore me to my crown, if I will forsake the French, give up my claim to her crown, and change religion in my realm to the form which is established here. My Protestant subjects detest it as much as I do; but she is using her advantage — not indeed that she cares about the miserable thing in itself — to force me and the poor Catholics to agree; and though for my own part I would sooner be murdered, yet you had better consider the possibilities, and send word to the King your master." [2]

Could Knollys have read this letter over her shoulder he would have been spared some mistakes and more disappointments; but for the present she had riveted her chains upon him. The wonderful woman had mastered the precisely correct form of words on "Justification by Faith." Knollys was proud of his pupil, and elated at the progress which she was making under his charge.[3] His satisfaction, indeed, was but short-

[1] Murray to Scrope, August 7: *MSS. Queen of Scots, Rolls House.*

[2] The Queen of Scots to De Silva, July 31: *MS. Simancas.*

[3] Knollys had spoken to Herries with some contempt of the furs and tippets of the Anglican bishops, and Herries had made Elizabeth angry by repeating the words. Knollys wrote to Cecil to excuse himself. His letter shows how cunningly the Queen of Scots had wrought upon him.

"As touching the fault that is found with me at the Court, that my com-

lived. The Catholics in the neighbourhood of Bolton had been disturbed by a report that she was going over. She could not admit them to her confidence, and it was dangerous to mislead them too far. She took an opportunity, when a large number of the Yorkshire gentlemen were assembled at the castle, to make a public declaration that she was still of the Papist religion. Sir Francis reproached her gently for her backslidings; and she allowed him to see the price which was to be paid for her conversion. "Would you have me lose France and Spain, and all my friends in other places," she said, "by seeming to change my

mending of the religious usages in Scotland after the form of Geneva did so much disallow the formularies of England as thereby I might hinder the Queen's disposition to embrace the forms of England, and give her rather occasion by misliking of both to rest in the old, which her Majesty thinketh very prejudicial to the purpose she intendeth; I answer that it is an easy thing for the Court of England to find fault with me being a simple poor man. I commended not the form of Geneva before the form of England; but however the Court doth expound my letters, I am sure there is never a man here that doth think that my speeches hath hindered the disposition of this Queen to favour either the form of the Common Prayer or the truth of the religion of England.

"My Lord Herries understood me and so did this Queen, howsoever my Lord Herries make religion to serve his policy. They understood me that under pretence of favouring the forms of England, such a rigorous condemnation of the forms of Geneva might be brought into Scotland that all the learned men of Scotland that have consciences there might thereby be banished or put to silence; and they being so defaced, a high way should be made open to Papistry.

"Well, if I be he that is found out to be a hinderer of religion, I trust yet that this my fault will be amended or eschewed by others. But surely this Queen doth seem outwardly not only to favour the form, but also the chief articles of the religion of the Gospel, namely, justification by faith only; and she heareth the faults of Papistry revealed by preaching or otherwise with contented ears and with gentle and weak replies, and she doth not seem to like the worse of religion through me. She does not dislike my plain dealing. Surely she is a rare woman: for as no flattery can lightly abuse her, so no plain speech seemeth to offend her, if she think the speaker thereof to be an honest man; and by this means I would make you believe she thinks me an honest man."—Knollys *to* Cecil, August 8: *MSS. Queen of Scots, Rolls House.*

religion, and yet I am not assured that the Queen, my good sister, will be my friend to the satisfaction of my honour and expectation?" [1]

She had so far the advantage in the game that she understood what she wanted, and played her cards accordingly. Elizabeth, having struck into a crooked road, was stumbling perpetually into uncertainties, doubts, and contradictions. To the Queen of Scots her language was always uniform: "Put yourself in my hands without reserve; I will listen to nothing which shall be said against you; your honour shall be safe, and you shall be restored to your throne." When she used these words she meant them. The Earl of Lennox applied for permission to appear at the investigation, to give evidence against the Queen.[2] Elizabeth found that if he were examined too much might be discovered, and he was forbidden to be present.[3] Yet, at other times, her mind misgave her before the shadow of coming troubles. She told De Silva that the Queen of Scots should be restored, but restored without power, and her acquittal should be so contrived that a shadow of guilt should be allowed still to remain. She had too many friends in England; and to declare her entirely innocent would be dangerous to the country and to herself.[4]

[1] Knollys to Cecil, September 21: *MSS. Queen of Scots.*

[2] The form of Lennox's request was that he might be present "at the trial for the murder of his son, the chief actor wherein was at present in England." — Lennox to Cecil, August 18: *MS.* Ibid.

[3] "Le Conte de Lennox a fort pressé la Reyne qu'il luy feust permis de se trouver en ceste assemblée de Seigneurs, pour la déclairer ce qu'il a veu et sçayt de la mort du feu Roy son filz à l'encontre de la Reyne d'Escoce. Ce que la dicte dame luy a desnyé tout a plàt." — M. de la Forest à la Reyne-mère, August 25: Teulet, Vol. II.

[4] "La Reyna me dixó que lo que pensaba hacer era que volviese á su Reyno con nombre de Reyna, mas que lo que toca al gobierno no habia de tener nada, y pensaba en lo de su justificacion hacer de manera que aquello

Where there was so much uncertainty and vacillation neither the Lords nor the Queen of Scots could tell what to look for. To Murray it seemed certain that Elizabeth would declare for his sister. He could but entreat "that his cause should not be determinately condemned or impaired before it might be duly heard;[1] and, as Cecil advised, he made the most of the time that was left to him in scattering and breaking up the assemblies of Mary Stuart's friends wherever they collected.

She, on her part, had but to work in their support with every implement which sentiment, or policy, or religion placed within her reach. Leaving her message to work on Philip, she besieged France with fresh and fresh petitions. George Douglas and Lord Claud Hamilton joined Chatelherault at Paris, praying that if the King would not help them, they might be at least allowed to raise volunteers. The Queen's dowry provided funds, and a thousand men at least were expected to land either at Dumbarton or Aberdeen, led by Chatelherault in person.[2]

At one moment Mary Stuart was so confident that they were coming, that she sketched a programme for their proceedings as soon as they should be on shore: and while she tried to throw Elizabeth off her guard by assuring her "that she desired to dedicate her life and heart to her forever,"[3] she was directing her party in Scotland to lead the

September.

quedase en dubio; porque si se declaraba su innocencia, para las cosas deste Reyno seria peligroso, y por los amigos que tenia, y se contra ella tambien tenia sus inconvenientes." — De Silva to Philip, August 9: *MS. Simancas.*

[1] Knollys to Cecil, September 6: *MSS. Queen of Scots.*

[2] Drury to Cecil, August 21: *Cotton MSS., Calig. C.*

[3] "Je desire vous dedier ma vie et cueur pour jamais." — Mary Stuart to Elizabeth, September 1: Labanoff, Vol. II.

French to Stirling or Edinburgh, destroying the country as they went; to get possession, if possible, of the person of the Prince; and if they could catch the Regent or his friends, to hang them without delay.[1]

The French did not come, and these intentions therefore could not be executed. Meanwhile time wore on. First August and then September had been appointed for the investigation: but Elizabeth was still irresolute. No steps had been taken, and the Queen of Scots began to hope that she might escape it altogether. Although unconverted, she had not lost wholly the power of charming Knollys. She made pretty presents to his wife.[2] She begged him "to travail for her private access to her Majesty;" she had something to say "which would turn to her Highness's singular commodity," and to her Highness she desired to devote herself forever.[3] To Elizabeth herself she wrote that she would rely on her and her alone; "she would abandon all her foreign friends; Elizabeth should be the one support to which alone she would trust."[4] She told Knollys, with a misleading candour, that "if her Highness did arbitrate the matter between her and her subjects as between equals — although she would take what she might get, she would not be so much bound to her Highness as otherwise she would

[1] "We pray you that incontinently so soon as the Frenchmen are arrived, ye cause all our nobility and their forces to pass forward with them in diligence towards our son, to see if he may be gotten in hand, or else to Edinburgh, destroying all the country thereabout that our enemies get no vivres. And if it be possible that ye may get any of their great men in hand of our rebels, spare them not, but dispatch them hastily and specially." Marie Stuart à un Eveque Ecossais, September 9: Labanoff, Vol. II.

[2] "You see how she corrupteth me. The token to bestow upon my wife is a pretty chain of pomander beads, finely laced with gold wire." — Knollys to Cecil, September 1: *MSS. Queen of Scots.*

[3] Same to the same, August 26: *MS.* Ibid.

[4] Mary Stuart to Elizabeth, September 15: Labanoff, Vol. II.

be glad to be." She made him believe that she was "resigned" to Elizabeth's pleasure; that she would "restrain herself for the future from offensive speeches and writings." He felt and expressed some kind of confidence that she was sincere,[1] and Elizabeth was but too willing to believe it was as he said.[2]

Thus there was more delay — delay threatening to be indefinite. For Mary Stuart nothing could be more advantageous; every day that the enquiry was postponed would make an unfavourable decision against her more difficult. Scotland, unfortunately, was less able to wait. The country was divided between two armed parties, each of which, according to Elizabeth's public declaration, was forbidden to move against the other. There was no recognised government, and when it had been said so distinctly that the Queen was coming back, what authority the Regent possessed would have diminished of itself, had there been no counteracting influence. But the crooked spirit with which the whole nation was interpenetrated was at work on both sides of the Border. It was impossible that the ordinary course of justice could be left suspended. Murray, at the secret instigation of Cecil,

[1] Knollys to Cecil, September 6: *MSS. Queen of Scots.*

[2] It is scarcely necessary to say that she was as little sincere then as at any time before or after. She told Elizabeth she would devote herself entirely to her. She was writing at the same time to the Queen of Spain to say that since she had been in England she had learnt much of the state of the country. It would be the easiest thing in the world to reëstablish religion there, and she would do it or die. The northern counties were devoted to the Catholic faith, and she would teach the Queen of England what it was to interfere between subject and sovereign. "She fears an insurrection so much," the Queen of Scots wrote, "that for this reason she will perhaps restore me; but she will have me stained with the suspicion of the crimes of which I am unjustly accused. They are tempting me to change my religion, but I will never do it. Assure the King your husband from me that I will die in the Catholic faith." — Mary Stuart to the Queen of Spain, September 24: Labanoff, Vol. II.

called a Parliament, enforced forfeitures, punished breaches of the public peace and the Queen's friends in the name of the peace. The Hamiltons and Gordons retaliated wherever they were strong enough with burning and murdering, but suffering more than they could inflict, and to both alike the condition of the country was intolerable. Each clamoured to Elizabeth that her commands were broken by their adversaries; both alike complained against the suspense which was plunging Scotland into anarchy. Lord Herries had received from Elizabeth distinct promises that the Queen should be reinstated, and Lord Herries was therefore first and loudest in his outcries.

His mistress, he wrote to the English Council, had come to England upon the promises and honour of their sovereign. There had been a time, both in England and Scotland, when a plighted word was sacred. He called on Elizabeth, "according to that old custom," in the name of the Eternal God, and the honour of the noble and princely blood of the kings from whom she was descended, "to fulfil the engagements which she had made, to place his mistress in her own country, and cause her to be obeyed as queen there. If she would do this, or would name a day," at the farthest, beyond which it should not be delayed, he and all the Peers of Scotland who were true to her, would leave France to God, would make a league with England, and accept any conditions which would be for the welfare of the whole island, "both in religion, in the punishment of the Earl of Bothwell, and for a mutual bond of amity perpetually to remain." If, after tempting his mistress with fine words, "which were the only cause of her coming into England,"

Elizabeth now chose to forget or deny what she had written, they must be content to leave the Queen where she was, but they would call in the French or the Spaniards or both, "to expulse the treasonable, false, pretended authority which now took upon itself to rule them." [1]

So said Lord Herries, while the Lords, on the other side, were as loud in their complaints, that, but for Elizabeth, and for the fatal support which she persisted in giving to the Queen, their country would have been at peace. Come what would, they said, they would lay their case before the world. "The Regent," wrote his secretary John Wood to Cecil,[2] "would have been content, with surety of state and substance to himself and his friends, to have let all causes of conscience and honour be smothered in oblivion;" "but, having been moved to the contrary by the Queen of England's former dealings, he was now deliberating to put King, nation, state, his life, and all in hazard before he should not in person maintain his innocency and meaning in his late proceedings."

Before the Queen should be thrust again upon the neck of Scotland, Murray insisted that he should be heard; and, with a half apology, he desired Cecil to send him a safe-conduct, lest he should be held a prisoner in London at the Queen of Scots' demand.[3]

If to inspire all parties with equal distrust was a proof of her impartiality, Elizabeth had so far effect-

[1] Lord Herries to the English Council, September 3: *Cotton MSS. Calig. C.*

[2] Wood to Cecil, September 6: *MSS. Scotland.*

[3] "As for safe-conduct, we mean nothing less than to sue for any such thing, if it was not that the King my sovereign's mother might peradventure desire [the Queen's Majesty?] to detain us, as well as her that entered in that realm without her warrant." — Murray to Cecil, September 7: *MS. Ibib.*

ually performed the part which she had undertaken. She had made contradictory promises to everybody in turn. She had misled everybody; and now, when one and the other began to publish what she had said, no one knew how to act or what to look for. Her inconsistencies passed at times beyond vacillation into deliberate insincerity. To the French Ambassador, to De Silva and Lord Herries, she distinctly and repeatedly said that at all events, and whatever came of the investigation, the Queen of Scots should be restored. She made this positive declaration because, without it, the Queen of Scots would not have consented that the investigation should take place. Yet a memoir of Cecil, dated on the 23d of September, states, with an emphasis marked by the underlining of the words, "that *it was not meant, if the Queen of Scots should be found guilty of the murder, to restore her to Scotland, however her friends might brag to the contrary.*"[1]

Elizabeth herself, to keep hold on Murray's confidence, repeated to him, under her own hand, the words of Cecil. "Reports," she said, "were spread in Scotland that whatever should fall out on the hearing of the Queen of Scots' cause to convince or acquit her concerning the horrible murder, she had determined to restore her to her kingdom. She could not endure such reports to have credit. It was entirely devised to her dishonour; and, should the Queen of Scots be found guilty, it would behove her to consider otherwise of her cause."[2]

[1] Notes in Cecil's hand: *MSS. Queen of Scots.*

[2] Elizabeth to Murray, September 20: *MSS. Scotland.* Even here it seems as if there was an intended ambiguity. The concluding paragraph originally ran "we would think of sundry things meeter for us to do for her." These words are crossed through and those in the text substituted.

Murray could but acknowledge graciously a communication which, nevertheless, he but half believed.[1] The Queen of England had changed her mind, or had varied in her expressions, so many times already, that he could feel no confidence in her; and, with nothing to trust to but a general determination to act uprightly himself, he prepared to meet whatever fortune had in store for him.

The necessity of doing something, rather than any growth of positive purpose, at length forced Elizabeth forward. Uncertain what would come of the enquiry, she had never ceased to feel that she could do nothing till it had taken place; and as the present suspense could no longer be continued, the preparations for it at length began. There were three parties to be represented — the Confederate Lords, the Queen of Scots, and the English Government. The form of proceedings was the same which had been at first suggested. The Lords were to be charged with rebellion, and would make such answers as would suit best with the prearranged result of the trial — whatever that was to be. Elizabeth had said that she would not restore the Queen of Scots if she were found guilty; it might be therefore necessary to suppress the more serious charges against her. Yet, if she was to be left with a reputation still clouded, enough would have to be advanced to make her innocence appear at least doubtful.

So artificial a game depended much on the persons selected to play it. The time was to be the first week in October, the place York, the seat of the Northern government. The English Commissioners were the Earl of Sussex, Sir Ralph Sadler, and the Duke of

[1] Murray to Elizabeth, September 28: *MSS. Scotland.*

Norfolk, representing the three parties in the Council. Sussex was President of the Council of the North, a solid, English, conservative nobleman, neither particularly able nor particularly high-principled, but moderate, tolerant, and anxious above all things to settle difficult questions without quarrels or bloodshed. Sadler, the old servant of Henry VIII., was a Protestant and almost a Puritan. He had been trained for thirty years in northern diplomacy, and had held Mary Stuart in his arms when she was a baby. Norfolk, the premier peer of England, was a Catholic in politics, though in creed he professed himself an Anglican. He and Arundel, his father-in-law, were the leaders of the great party most opposed to Cecil and the Reformers, of the old aristocracy, who hated revolution, favoured the Spanish alliance, the Scotch succession, and as much Catholicism as was compatible with independence of the Roman See.

By one of the three Commissioners the office was undertaken most reluctantly. Sadler, a man of most clear convictions and most high purpose, would have borne a part gladly in any duty in which his conscience was to be his guide; he had little inclination to enter a slippery labyrinth, where he was to take his direction from the undefined, contradictory, and probably impracticable intentions of Elizabeth. He asked Cecil to select some one wiser and more learned than he. Questions would arise of "who was a tyrant?" "who might depose a tyrant?" "It was a matter which touched not Scotland and England only," but all kingdoms; and for himself, "he had liefer serve her Majesty where he might adventure his life for her, than among subjects so critical as these."[1] There were

[1] Sadler to Cecil, August 29: *MSS. Queen of Scots.*

some thoughts of employing Sir Francis Knollys. Knollys was supposed to wish it, and to be displeased that his name was not in the list; and Mary Stuart hoped that she might turn his imagined jealousy to her advantage.[1] October.

The Duke of Norfolk accepted his nomination in a far different spirit. Notorious as he had made himself in his past advocacy of Mary Stuart's succession, his appointment may be taken as a sufficient proof that Elizabeth did not intend that the examination should turn out unfavourably for her. Norfolk would be President of the Commission, and, as such, would have the principal voice in managing the proceedings and directing the conclusion. Norfolk, however, had a further purpose, a secret between himself and his friends, which had not entered into Elizabeth's programme. The English aristocracy considered themselves even more interested in tiding Mary Stuart over her difficulties than her party in Scotland. They believed as much as they wished to believe of her delinquencies. She was the only person in their interests who could be maintained, by right of blood, as a competitor for the succession. They were not disloyal to Elizabeth; but, as Elizabeth did not choose to marry, they did not choose to spend their lives with a prospect, as soon as she was gone, of a repetition of the wars of the Roses. The Duke of Norfolk was a third time a widower; his last wife, Lady Dacre, had just died,

1 "Je viens d'appercevoire que le dict Knollys est marry de n'avoir este ung de commissionaires et pour ceste occasion il est picqué contre le Duc. Je vouldray que cela fust cause de le detourner de la faveur qu'il porte aux aultres, et qu'il se rangeast a faire quelque chose pour moy; si ceste jalousie entre eux se pouvoit par quelque moyen augmenter il n'y avroit poing de perte pour nous." — Mary Stuart to the Bishop of Ross, October 5: Labanoff, Vol. II.

as if providentially to create the opportunity; and Lord Arundel and others of the peers of the old blood, as distinguished from the upstarts who had been created by the Reformation, had resolved among themselves, as a means of disposing of the complications which so perplexed Elizabeth, that the Queen of Scots should marry him. There were two parties among these noblemen; some, like Arundel, Montague, and the Earls of Northumberland and Westmoreland, were Catholics; some, like Lord Derby and Norfolk himself, Protestants with a Catholic inclination. But their Protestantism sat lightly on them; and if the government passed into their hands, a reconciliation could easily be effected with the rest of Europe. The most serious political objections against the Queen of Scots' succession lay in some possible dangerous connections which she might form on the continent. Her marriage with the first nobleman in England would at once remove all uncertainty on this score, and silence scandal against her character.

It was thought that Elizabeth herself would be induced or forced to consent to the arrangement. The Duke himself, though not at first ardent in the matter, had played with the idea. He entertained (as will appear in the sequel) no more doubt than Cecil of the Queen of Scots' share in the murder of Darnley; but she was not likely to repeat a proceeding of which the consequences had been so inconvenient to her; and the prospect of sharing a crown and giving a dynasty to England was a large counterweight to the questionable features of the alliance. It is certain that the Duke went down to York with the scheme already formed in his mind. Lord Montague spoke of it to the Spanish Ambassador, while the conference was in

progress, as a matter already considered and arranged by the Catholic party; and the Ambassador, in laying it before Philip, as Lord Montague desired, told the King that the project was so far matured that, with his approbation, it would be certain of success.[1]

The Queen of Scots, knowing nothing of the door which was thus being opened for her, having failed to prevent the enquiry, prepared to meet it as best she could. On the whole, however, she was satisfied that it would be little more than formal. Norfolk sent her a message, through his sister Lady Scrope, that she had nothing to fear;[2] and she summoned to Bolton such of her friends as were to represent her, to consult with them. On the part of the Lords, the Regent himself intended to be present, the Earl of Morton, Lord Lindsay, and George Buchanan. Maitland was coming with them unofficially; partly because the Regent was afraid to leave him behind, partly of his own will "to travail for mitigation of the rigours intended."[3] For the Queen would appear Herries, Boyd, Livingston, Cockburn of Skirling, the friends of her misfortunes, who had accompanied or followed her to England; and lastly, John Leslie, Bishop of Ross, who was afterwards to play so large a part in connection with her history. It was this Leslie, who, when she was first returning from France to Scotland, was sent by Huntly and the Catholic lords to invite

[1] Puntos de las Cartas de Don Guerau de Espes, August 25, November 6; Don Guerau de Espes a su Magd., October 30: *MS. Simancas.*

[2] "The Queen of Scots told me that there was no such danger as I supposed, for I should find the judges favourable, principally the Duke of Norfolk, who was first in commission. She had learnt this by a message from the Duke to Lady Scrope; and she had many other good friends, who would all be with the Duke at York, and would persuade him to favour her cause." — Confession of the Bishop of Ross, printed by Murdin.

[3] Ibid.

her to land among them at Aberdeen; it was he who was supposed to have contrived her "ravishment" by Bothwell; he was still under forty, a man of infinite faithfulness, courage, and adroit capability.

On him and Herries Mary Stuart chiefly depended. When he came to her at Bolton, he found her entirely at ease. She told him that all had been arranged. The Regent and his friends were to be called to answer for their offences before the English Commission; they were to admit their faults, receive their pardons, and "so all matters be compounded."

Such, it seems, was Norfolk's message. The Bishop, who had come from Scotland, knew better or thought he knew better what the Lords intended. He said that he was sorry she had agreed to the conference. When the Lords were accused, they intended to accuse her in return, and "utter all they could in their defence, though it was to her dishonour." She had half persuaded him that he was mistaken, when Sir Robert Melville arrived with a hurried letter from Maitland. It was too true "that Murray was wholly bent to utter all he could against the Queen, and to that effect had carried with him to York all the letters which he had to produce against the Queen for proof of the murder." Maitland's wife, Mary Fleming that was, had procured a copy of them, which he enclosed.[1]

For the first time Mary Stuart now knew which of her letters had fallen into the Lords' hands, and the discovery was sufficiently alarming. The Bishop said, however, that he thought still "the matter might be ended by agreement before it came to accusation." He advised the Queen to travail to that end with her friends at York and at the Court;[2] and promising to

[1] Confession of the Bishop of Ross, printed by Murdin. [2] Ibid.

do his best himself, he hastened off to the scene of action.

The conditions under which Elizabeth generally thought that the Queen of Scots might be restored have been already partially stated: — The confirmation of the treaty of Leith, an engagement that no future league should be made with France, a promise that she should not marry without the Queen of England's consent, the punishment of the murderers of the King, the maintenance of Murray at the head of the *de facto* government, and as a compensation the recognition of the Hamilton title; and finally, the establishment in Scotland of the forms and constitution of the Anglican Church.[1]

On these terms the English Commissioners brought powers from the Queen to compound all outstanding quarrels between the two parties, and take measures for the Queen's return. That the restoration was to take place at all events, Elizabeth did not venture to say; she did not venture to make the Earl of Murray desperate: "If the Queen of Scots should be proved to have been a party to the murder," then indeed "her Majesty, as she had herself written to the Earl of Murray, would think her unworthy of a kingdom;" but "her desire from the beginning had been always that the said Queen might be found innocent," at least of the worst of the charges against her; and should Murray "either forbear to charge her with the murder," or should his proofs appear insufficient, the Commissioners were then to consider "in what sort she might be restored to her crown, without danger of a relapse to fall into misgovernment, or without the dan-

[1] Notes on Matters of Scotland, August 8. Cecil's hand: *MSS. Domestic, Rolls House.*

ger of her subjects to fall into her displeasure without their just deserts."[1] These instructions perhaps represent the conclusions in which Elizabeth's vacillation had for the present settled. The Queen of Scots' substantial guilt was tacitly implied, but Murray was, if possible, to confine himself to charges of misgovernment, be silent upon the murder, keep back letters which, if produced, would make reconciliation impossible, and allow the Queen to return in such a form as to prevent further aberrations.

With these conditions, could Murray be brought to consent to them, the Bishop of Ross intended generally to comply. The commission which he carried away from Bolton empowered him to yield on all tolerable points, especially to consent, after all, to the establishment of Anglicanism, which would be so grateful to Elizabeth.[2] If accusations were brought against the Queen which touched her honour, he was to deny them generally, and refuse to enter upon the subject. It was hoped, however, that Murray would prove manageable, and that this contingency would not arise.

The Bishop and his friends were the first to arrive, reaching York on Saturday, the 2d of October. Sussex, Sadler, and Norfolk came in the next day, and

[1] Instructions by Queen Elizabeth to her Commissioners going to York: Goodall, Vol. II. p. 97.

[2] "When it was desired that the religion as it presently is in England should be established and used in my realm, it is to be answered by you that, albeit I have been instructed and nourished in that religion which has stood long time within my realm, and been observed by my predecessors, called the auld religion, yet nevertheless I will use the counsel of my dearest sister the Queen's Majesty of England thereanent, by the advice of my estates in Parliament, and labour that is in me to cause the same have place through all my realm as it is proposed, to the glory of God and uniformity of religion in time coming." — Commission to the Bishop of Ross, September 29: Labanoff, Vol. II.

on Monday morning they were joined by Murray, Morton, and their companions. Lord Westmoreland lay in wait for the party coming from Scotland on the moors, to get possession of the Casket and destroy it; but either they took another road, or were in too strong force to be meddled with.

Besides the principal parties, the town was filled with swarms of politicians, practisers, and Scotch and English Catholics, all collecting to watch the progress of the strange assembly, and, by fair means or foul, help forward the interests of Mary Stuart.

The first three days were spent in preliminaries. A protest was entered by the Bishop of Ross to save the sovereign rights of Scotland, disclaiming the jurisdiction of an English court. On the part of England, a counter-assertion was put in of feudal superiority. Both the objection and reply were understood to be formal, and were passed over "with merry and pleasant speeches." Out of court, meanwhile, the Commissioners talked over among themselves the condition of the cause; and Norfolk, in a private letter on the 6th, told Cecil that, "if all was true which was steadfastly affirmed," he feared "the matter would fall out very foul." [1]

Business commenced on the 8th by the presentation on the part of the Queen of Scots, of a charge against Murray and his associates for bearing arms against their sovereign; and the time had come for Murray to put in his defence. What was he about to say? The days during which the parties had been together had not been wasted. Had Lord Herries and the Bishop of Ross believed that the Casket letters were forged, they would have shrunk from no enquiry and

[1] Norfolk to Cecil, October 6: *MSS. Queen of Scots.*

sought no compromise; they would have stood on the high vantage ground of truth, and have simply demanded redress for their calumniated sovereign. Instead of this, they had been at work, in concert with Maitland, to persuade Murray into silence, to work upon his interests, and to work upon his fears.[1] They told him, and they told Morton, that if they would say nothing of the murder, "the Queen of Scots would make with them what reasonable end she could devise;"[2] while, on the other hand, whatever Elizabeth might now say to him for her own immediate ends, she was really determined to restore the Queen of Scots at all events and under all circumstances; they held her promise in her own handwriting;[3] and if Murray was now to inflict so deep a wound upon his mistress, she would never forgive him.

Murray had come to the conference prepared to act honourably, and the fear of evil consequences to himself would not much have influenced him; but he had proved in his own person the value of Elizabeth's fair words; and he determined not to proceed till he had made another effort to ascertain where he was standing.

He said, therefore, that although he was well able to reply to the Queen of Scots' charges, and to show that he and his friends had good grounds for what they

[1] Knollys, who was present at York, wrote on the 9th of October to Cecil: "I see that my Lord Herries, for his part, laboureth a reconciliation to be had without the extremity of odious accusations. My Lord of Lidington also saith to me that he would wish these matters to be ended in dulce manner, so that it might be done with safety." — *MSS. Queen of Scots, Rolls House.*

[2] Norfolk to Pembroke, Leicester, and Cecil, October 11: *MS.* Ibid.

[3] "They did not let to say that they had your Majesty's promise to show in writing to confirm the same." — Norfolk, Sussex, and Sadler to Elizabeth, October 9: *MS.* Ibid.

had done, yet they were unwilling to charge the King their sovereign's mother with crimes which hitherto they had concealed, "and manifest to the world her infamy and dishonour." Before they would venture on a step so serious, they required to be informed whether the language which they had heard from Herries was true, and whether, if the Queen of Scots was proved guilty, she was really to be forced upon them again.

The Commissioners pointed, in reply, to the instructions given by Elizabeth to themselves; her Highness hoped that the Queen of Scots might be found innocent; if it proved otherwise, she would not stain her conscience with the maintenance of wickedness.

Murray said that, notwithstanding these words, there was a very general belief that the Queen of Scots was to be replaced, "however matters fell out." It was so reported in Scotland; and it was so said at that very moment at York. He could not but suspect that, "although her Highness might not restore the said Queen immediately, yet means would be wrought to her relief at a later time, to their no little danger." He produced four questions, to which he said he must have a clear answer before he would proceed with the accusations.

First. Had the Commission power to pass sentence of guilty or not guilty, according to the merits of the case?

Second. If they had this power, did they intend to use it?

Third. If he made his charge, and proved it, what was to be done with the Queen of Scots?

Fourth. Would the Queen of England, in that case, maintain the authority of the young King?

"The cause," he said, "was so weighty, and it touched them all so near, that they all resolved not to accuse the Queen of the murder until they knew for certain what they were to look for."

"They be in hopes and comfort," wrote the Commissioners, "that if they do not bring up the worst charges, the Queen of Scots will be induced to a reasonable composition; and on the other side, if they proceed to extremity, they be out of hope of any good composition, and so shall live always in danger."[1]

"It seems," Sussex wrote separately, "they be bent to one of two ends — either to prove her guilty of the murder, and then never to hearken after to any composition, wherein they will not deal before they may be assured that if the murder is tried, the Queen will so keep her as she shall by no means work their hurt hereafter — or else leaving off entirely to charge her with the murder, seek a reconcilement and composition of all causes, without touching her any ways in her honour."[2]

It might have been thought from the language of her Commission that this was precisely the end at which Elizabeth was aiming. She did not wish the Queen of Scots to be found guilty; she had seemed to desire that she should not be accused. But such a conclusion would not have answered, because it would have been too complete. She would be unable to detain the Queen of Scots any longer in England; she would have purchased for herself only the resentment and suspicion of all parties; and the stain which she admitted to the Spanish Ambassador that she desired

[1] Norfolk, Sadler, and Sussex to Elizabeth, October 9: *MSS. Queen of Scots.*

[2] Sussex to Cecil, October 9: *MS.* Ibid.

should rest upon the Queen of Scots would disappear in the absence of accusation. The Catholic world would universally accept the acquittal, and the danger of her own position would be infinitely aggravated. The consequences of her own crooked conduct were coming back upon her. She had not meant, and she did not mean, to act unfairly; but she would not accept the lessons which Knollys had tried to teach, that the more honourable way was the plain way; she could never travel with comfort on a straight road anywhere.

On the morning of the 9th, while Murray was still pausing upon his answer, Norfolk rode out with Maitland to Cawood, and told him at great length, that, whatever happened, Elizabeth had determined "not to end the cause at that time." She professed to wish that Murray should avoid extremities, yet, in reality, she intended him "to utter all he could to the Queen of Scots' dishonour; to cause her to come in disdain with the whole subjects of the realm, that she might be the more unable to attempt anything to her disadvantage." "Without appointing the matter," she intended to keep the Queen of Scots in England till "she should think time to shew her favour." She was making use of the Lords for her own purposes; she was merely saying to them whatever would answer her immediate end, and she would throw them over as soon as it suited her convenience.[1]

Norfolk himself was so little careful of truth that perhaps he invented this dangerous statement as a means of working upon Murray; but it was so precisely a repetition of the former treatment which Murray had met with; it agreed so closely with her lan-

[1] The Bishop of Ross to the Queen of Scots, October 9, part cipher. *Cotton MSS., Calig. C.*

guage to De Silva, that in all probability it was no more than a betrayal of the confidence which his mistress had really reposed in him. Maitland begged the Duke to speak to the Regent himself, and the next morning arranged a private interview between them. The Duke explained then at length the feelings of the English nobility on the Scotch succession. He spoke of Mary Stuart's claims to the crown; of the powerful party who, for various reasons, were desirous of supporting those claims; and the injury which would be inflicted, both on her own and the Prince's prospects, if her character was publicly stained. After dwelling again on what he had said to Maitland, he added, truly or falsely, another illustration of Elizabeth's insincerity. She pretended to desire, he said, that Bothwell should be taken and punished, yet she had refused to intercede with the King of Denmark for his extradition; "her Majesty would never solicit the same, but purposely held him living above the said Queen's head to stay her from any other marriage." He pointed out how much safer it would be for Murray now, when the opportunity was open to him, to come to an understanding with his own sovereign: and then, indirectly approaching his own great secret, the Duke said, "it would be convenient the Queen of Scots had more children; there being but one bairn proceeded of her;" Scotland and England were alike interested in the increase of her family, and Murray's own fortunes depended on it also; "the Hamiltons, his unfriends, having the next claim to the crown of Scotland, and the issue of her body being likely to be more affectionate to him and his than any other that could attain to that room." [1]

[1] This conversation was related a year after by Murray himself to Eliza-

Murray's position was now an exceedingly difficult one. He knew by experience that Elizabeth was perfectly capable of betraying him. However careless he might be of his own interests, he had his party and his country to consider as well as himself. It was open to him, by a private agreement with his mistress, to obtain every security which he desired for the government of Scotland. The Protestant religion could be firmly established; the threatened civil war averted; all feuds forgotten, all parties reconciled in a general act of indemnity; and the powerful body of English nobles and statesmen who were in favour of the Scotch succession laid under the deepest of all obligations. What was Elizabeth to him, that for her sake he should risk all these advantages, with no better ground than he possessed for believing that he could count upon her sincerity?

He reflected for a day, and on the 11th he gave in his first formal reply to the Commissioners of the Queen of Scots. Either he could not or he would not wait for the answers to his four questions; and avoiding everything approaching to a charge against her of having been concerned in the murder, he laid the guilt on Bothwell; he defended the rebellion and the Lochleven imprisonment on the ground simply of the Queen's marriage and Bothwell's crimes, with his obvious intention of erecting a tyranny in Scotland. It amounted to no more than a political defence, which the Queen of Scots herself might accept without disgrace; and the accusations, as far as they touched herself, were so framed as to admit of easy explanation.

beth, October 29, 1569: *MSS. Scotland.* It agrees in substance with the account given by Melville in his *Memoirs;* Melville having been at York at the time, and behind the scenes.

More, however, it was indicated, remained behind, which could be produced, if necessary. The Queen of Scots' Commissioners rejoined again, accepting and replying to Murray's points; and there was then a pause, till further instructions could be received from London.

Although Murray, however, refused to proceed publicly with the weightier charges, he allowed the Commissioners to see in private what he was able to produce. Norfolk was, doubtless, not without curiosity to know something of the woman of whom he was thinking as his wife; and being as he was a weak, amiable man, with qualities which those who play for the high stakes of this world ought not to possess, he was staggered at so tremendous a revelation, and evidently began to hesitate at the prospect which his friends designed for him. Buchanan himself could scarcely have rendered more emphatic the language in which he described his first impression.

"They shewed me," he wrote, "a horrible and long letter of her own hand, as they say, containing foul matter and abominable to be either thought of or written by a prince, with divers fond ballads, discovering such inordinate and filthy love betwixt her and Bothwell, her loathsomeness and abhorring of her husband that was murdered, and the conspiracy of his death in such a sort, as any good and godly man cannot but detest and abhor the same."

The Lords, he said, were ready to swear that both letters and verses were in her own handwriting; the contents were such that they could scarcely have been invented; and "as it was hard to counterfeit so many and so long letters, so it seemed from the matter of them and the manner in which they were discovered,

that God, in whose sight murder and bloodshed were abominable, would not permit the same to be hid or concealed."[1] He enclosed extracts from the letters in his despatch, and he left it to Elizabeth to say whether, if they were genuine, "which he and his companions believed them to be," there could be any doubt of the Queen of Scots' guilt.

So far the Duke wrote in concert with Sussex and Sadler, and were there nothing more, and had he been an abler man, he might be suspected of endeavouring merely to blind the English Government as to his own views; but in a private letter of his own to Cecil, Pembroke, and Leicester, he added more to the same purpose, which show plainly that he was himself shaken. There were but two courses to be taken, he said: "If the fact should be thought as detestable and manifest to them as, for anything he could perceive, it seemed to him," the simplest and safest course would be "condign punishment, with open demonstration to the whole world, with the whole circumstances, and plain, true, and indifferent proceeding therein." If this could not be permitted, "such composition would have to be made as in so broken a cause might be:" and the Hamiltons and the Regent would have to be reconciled. "Without those differences were concluded, they would make but botched work."[2]

The greatest difficulty would then lie in the scheme which the Hamiltons had formed for marrying the Queen of Scots to Lord Arbroath. But there were ways of meeting this. Fresh from the perusal of the letters, it seemed to strike him that the woman who

1 The Commissioners at York to Elizabeth, October 11: Anderson.

2 Norfolk to Pembroke, Leicester, and Cecil, October 11: *MSS. Queen of Scots.*

could write them was not born for high dignity, or was a fit match even for himself; some meaner union would be more suitable; and Knollys suggested to him the possibility of marrying her to some younger brother of a noble English house, some relative of the Queen's on the mother's side, such for instance as "young Mr. George Carey," second son of Lord Hunsdon. "So matched," Elizabeth need have no fear of her, and young Carey, with his fortune to make, would not be particular.[1]

It seemed likely, however, that these and such speculations would be thrown away, and that the Scots would come to an agreement among themselves which would take the matter out of English hands. While the conference was suspended, Knollys returned to Bolton. Mary Stuart, who knew nothing of what had passed, received him with eager enquiries, "Whether the Lords would proceed with their odious accusations, or whether they would stay and be reconciled to her?" "If they fell to extremities," she said, "they should be answered roundly and to the full, and then were they past all reconciliation." She would swear her letters were forged; she would insist on being heard in person, and she would charge Morton and Maitland with having themselves been parties to the murder. But Knollys gathered from her that she had no desire to play so desperate a game; she might ruin them, but she could scarcely save herself. Her anxiety was evidently to make some arrangement which would prevent her letters from being published.[2] Distrusting Elizabeth as much as Murray distrusted her, she was now through her friends using all her endeav-

[1] Knollys to Norfolk, October 15: *Cotton MSS., Calig. C.*
[2] *MS.* Ibid.

ours to work upon the Lords; and she seemed very likely to succeed.

Lord Sussex, in an able letter, laid before Cecil the whole bearing of the question.

"The matter would have to end either by finding the Queen guilty, or by some composition which would save her reputation. The first method would be the best, but it would require Murray's help, and Murray, for two reasons, might now decline to give it.

"1. She would disown the letters, and in return accuse his friends *of manifest consent to the murder hardly to be denied.*

"2. The King was young and delicate, and might possibly die. If the Queen were judicially dishonoured, the Hamiltons would succeed to the crown of Scotland, and in right of blood would claim the immediate government. Murray would not part with the Regency, and Hamilton would not be second to Murray.

"The Hamiltons desired that the proceedings should be dropped, that the Queen should be restored in name, but remain in England; while Scotland, in respect of her misgovernment, should be ordered by a council of the nobility, to be named by the Queen of England."

Murray wished that she should repeat her abdication and withdraw her complaints against him and his friends. He would then forbear to accuse her further, destroy the casket, and hold out hopes to her of eventual restoration, "in proof of his forgetting her displeasure."

Between these two views the Scots were at present divided; but the danger most to be dreaded was "that both sides might eventually pack together, so as, under

colour of composition, to unwrap their mistress of their present slander, and purge her openly. Within short time they would demand of the Queen her delivery home to govern her own realm; she also making like request — and the Queen, having no just cause to detain her, would have her for a mortal enemy ever after." [1]

To this point Elizabeth had brought it: she had spun refinement within refinement, artifice within artifice. The Queen of Scots was to be accused and not accused, acquitted and not acquitted, restored and not restored. So many objections could be urged against any one course, that she had thought to neutralize them by adopting all at once, and the web which she had wrought out with so much pains was about to be rent in pieces. When the Queen of Scots came to England, it would have been easy to require Murray to produce the proofs of the crimes with which he charged her: she might have submitted the letters and depositions to the twelve judges and the English Parliament; and then publishing the truth without concealment or hesitation, have dared the Catholic Powers to interfere in such a cause. But theories of the rights of sovereigns, and the intellectual enjoyment of handling a difficult subject artificially, forbade so simple a proceeding.

When it came to the point, she could not make up her mind, after all, whether she wished Murray to go on with his charges or not. His four questions, when they were brought to London, seemed to force her to some positive conclusion, but she struggled against the necessity of decision. She said at first that "they

[1] Sussex to Cecil, October 22: *Illustrations of English History*, Vol. I. p. 458.

needed no particular answer;" the Earl of Murray should be contented to leave the matter to herself and her own judgment; "on hearing the cause she would do or cause to be done what should be agreeable to the honour of Almighty God, the maintenance of the innocent, and the reproof of the guilty."

Such phrases would have answered no good purpose: she would have satisfied Murray that no good was to be expected from her, and have driven him faster than ever into a compromise. But suddenly, while she was hesitating what answer to give, a whisper ran round the Court that the Duke of Norfolk was to marry the Queen of Scots. What it meant, with which party it originated — the how, the when, the why of it — was all obscure to her; but it was a sharp revelation that others could scheme besides herself. The dangers which she had feared from the Queen of Scots' presence in England had started out of the ground at her very feet,[1] and at once on the instant she cancelled the York Commission, resumed the cause into her own hands, and summoned all parties to London, where the conclusion could be heard in her presence. Sussex might remain where he was; Norfolk might use the opportunity to survey the fortifications at Berwick; Sadler, Maitland, and Herries were ordered back to her immediately, that "she might be better informed in certain matters." The Queen of Scots' Commissioners, she was particularly anxious, should not be alarmed. She said that she still desired

1 "Y porque se levantó un rumor que el Duque de Norfolk, que es viudo, queria casarse con la Reyna de Escocia, la Reyna de Inglaterra mandó luego deshacer aquel ajuntamiento, y hizó venir aqui los diputados." — Relacion del Negocio de la Serenissima Reyna de Escocia: *MS. Simancas.*

only to discover the easiest means for her sister's restitution.[1]

Evidently Elizabeth's first impulse was to rid herself as rapidly as possible of a guest who promised to be so troublesome. If before she had been three months in the country she had entangled the premier nobleman of England in her meshes, what might not be expected in the future? Among those to whom the state of things was known, the expectation at this moment was of some rapid compromise, by which the Queen of Scots would be immediately replaced. The great object would be to separate her from the Catholic party; she had offered to consent to the establishment in Scotland of the Anglican religion. This, or something like it, would be probably the chief condition insisted on; and unless the Great Powers showed more interest in her than they had hitherto displayed, her zeal for Catholicism, it was feared, would give way under the trial.[2] France cared only for the alliance with Scotland, and was ready to let religion take its chance. Spain had been so far entirely silent towards her, and accident had led

[1] The Queen to Norfolk, Sussex, and Sadler, October 16: *MSS. Queen of Scots.*

[2] M. de la Forest, the French Ambassador in England, was superseded at this crisis by La Mothe Fénelon, whose despatches throw so much light on the history of the coming years. The Archbishop of Glasgow, Mary's Minister in Paris, had a conversation with him before he started, and was horrified by hearing La Mothe say that he intended to advise the Queen of Scots to give way about religion. The words which La Mothe Fénelon used, as reported in Spanish by Alava to Philip, are these: — "Señor Embajador yo voy á residir en la Corte de Inglaterra y á servir á la Reyna vuestra ama; y para que sus cosas vayan bien á la fee, debeis de aconsejarla que no esté tan dura como hasta aqui, sino que se dexe llevar al sabor de sus vassallos, porque desta manera ella sera Reyna obedecida y querida. En fin dice el obispo que claramente le dixó que hiciese officio para que se acommodase en lo de la religion, y en todo lo demas con sus vassallos." — Alava to Philip, October 30: Teulet, Vol. II.

her to believe that she was more neglected than she actually was. A passionate letter, which she had written to the Spanish Minister in London had been left a month unanswered. The key of her cipher had been lost, and the letter could not be read. The Archbishop of Glasgow at Paris told Don Francis de Alava that she had been constant so far, in the hope that the King of Spain would take her part. If Spain failed her she would yield, and the Catholics of England and Scotland would then cease to struggle.

Mary Stuart so far had been without interest to Philip. He knew her to be a bad woman; she was connected closely with France, and he had no political inducement to meddle for other reasons in her favour. If France, however, shook her off or became indifferent, if the English Catholics were willing to overlook her delinquencies, and if she and they would commit themselves to Spanish direction, his scruples might possibly be overcome. Uncertain, yet hoping that it might be so, Alava wrote to Cayas, Philip's secretary, to plead for her.

"The Queen of Scots," he allowed, "had made a few mistakes in her life," not to use a harder word for them.[1] "It would require some skill to bring his Majesty to hold out a hand to her; but he was a great prince; and in the service of God, and considering the present condition of the world, his Majesty might overlook her faults, and accept her as sound." [2]

1 "Aunque aya andado *estropeçando* en algunas cosas en el progreso de su vida." — Alava to Cayas: Teulet, Vol. V.

1 "Aunque puede tener alguna arte esto, para hacer salir á su Majestad à ayudarla, arte es que paresce que su Majestad puede pasarla y tomárla por la buena pues es en el servicio de Dios y bien de las materias que hoy se tratan en el mundo. Su Majestad es Catolico y magnanimo Principe," &c.: Ibid.

What that condition of the world was, with the present aspect of the great struggle between Popery and Protestantism, and the bearing of it upon the English crisis, will be described in the following chapter.

CHAPTER XVI.

When the Roman poet denounced the service of the gods as a malignant and accursed superstition, the deserved reproach of religion was on the eve of passing away. The creeds of the ancient nations were the expression of their thoughts upon themselves and upon the world in which they lived. Encompassed within and without by invisible forces, now beneficent and life-giving, now terrible in destructiveness, they saw in all of them, in sunshine and storm, in plenty and famine, in health and disease, the work of beings whose envy would not permit mankind to be continuously happy. They painted the immortal Lords of the Universe after the image of the strongest and worst of their own race, and strove with prayers and sacrifices to propitiate their jealous caprice. Hence came those real or legendary rites in Aulis, where the noblest of the maidens of Greece was offered as a victim to the spirit of the storm: hence those memorable lines of Lucretius, which form the epitaph of dying Paganism.

A new era was about to dawn. Christ came bringing with him the knowledge that God was not a demon, but a being of infinite goodness — that the service required of mankind was not a service of ceremony, but a service of obedience and love — obedience to laws of morality, and love and charity towards man. In the God whom Christ revealed, neither

envy was known nor hatred, nor the hungry malice which required to be appeased by voluntary penances or bloody offerings. The God made known in the Gospel demanded of His children only the sacrifice of their own wills, and for each act of love and self-forgetfulness bestowed on them the peace of mind which passeth understanding.

Such a creed, had it remained as it came from its Founder, would have changed the aspect of the earth. It would not have expelled evil, for evil lies in selfishness, and the conquest of self is the discipline which, if it be permitted to conjecture the purposes of the Almighty, human beings are sent into the world to learn: but it would have bound together in one common purpose all the good, all the generous, all the noble-minded, whose precepts and whose example would have served as a guide to their weaker brethren. It would not have quarrelled over words and forms. It would have accepted the righteous act whether the doer of it preferred Paul or Cephas. In that religion hate would have no place, for love, which is hate's opposite, was its principle; nor could any cruel passion have found its sanction where each emotion was required to resolve itself into charity.

But the rules of life as delivered in the Gospel were too simple and too difficult; too simple, because men could not thus readily shake off the dark associations which had grown around the idea of the Almighty; too difficult, because the perfect goodness thus assigned to Him admitted no compromise, refused the ritualistic contrivances which had been the substitute for practical piety, and exacted imperatively the sacrifice which man ever finds most difficult — the sacrifice of himself. Thus for the religion of Christ was

exchanged the Christian religion. God gave the Gospel, the father of lies invented theology; and while the duty of obedience was still preached, and the perfect goodness of the Father in heaven, that goodness was resolved into a mystery of which human intelligence was not allowed to apprehend the meaning. The highest obedience was conceived to lie in the profession of particular dogmas on inscrutable problems of metaphysics; the highest disobedience in the refusal to admit propositions, which neither those who drew them nor those to whom they were offered, professed to be able to understand. Forgiveness and mercy were proclaimed for moral offences; the worst sins were made light of in comparison with heresy: while it was insisted that the God of love revealed by Christ would torture in hell-fire forever and forever the souls of those who had held wrong opinions on the composition of His nature, however pure and holy their lives and conversation might be.

So again God became as man, and was made in man's image, and so came back ferocity and hate, and pride, and slander, and cruelty, sanctioned by the creed which had been sent into the world to overcome them. The wells of life were poisoned, and the truth itself was made the instrument of evil. Those who were most sincerely anxious to do the will of God, believed that they could best please Him by zeal for correctness of doctrine. Those who desired only to please themselves, could satisfy their consciences and earn the applause of the godly by proclaiming formulas which it cost them nothing to maintain, and by compounding for the indulgence of their passions by the exactness of their ceremonial observance. If God himself, the supremely good, so hated theological mis-

takes that for speculative error alone there was no mercy, but only the utmost extremity of torture which Omnipotence could inflict, then what could His servants do but judge as He judged, employ the same balance, imitate, as far as their feeble passions could extend, the example of their Master, and most hate what He most hated? Though warned against the comparison by their Founder, they saw in the history of the Chosen People the pattern of the treatment which befitted the worshippers of strange gods. Death to men, to women, to the baby at the breast; death to the beast of the field accursed by idolatrous companionship; the brick-kilns for the agony of fire, the harrow to tear the flesh from the bones.

"By their fruits ye shall know them." Through Christ came charity and mercy. From theology came strife and hatred, and that fatal root of bitterness of which our Lord spoke himself in the mournful prophecy, that He had not come to send peace on earth, but a sword. When His name and His words had been preached for fifteen centuries, there were none found who could tolerate difference of opinion on the operation of Baptism, or on the nature of His presence in the Eucharist; none, or at least none but the hard-hearted children of the world. The more religious any man was, the more eager was he to put away by fire and sword all those whose convictions differed from his own.

The Reformation was the beginning of a new order of things. The recognition that false dogmas had for many centuries been violently intruded upon mankind — and the consequent revolt against the authority which imposed them, were in reality a protest against the dogmatic system and an admission of the rights

of conscience. When the visible unity of the Church was once broken, the multitude of opinions which ensued compelled their reciprocal toleration; and the experience that men of different persuasions can live together with mutual advantage and mutual respect, has untwisted slowly the grasp of the theological fingers from the human throat. The truth again begins to be felt, though as yet it can hardly be avowed, that religion does not consist in an assent to propositions; that the essence of it is something which is held alike by Catholic and Anglican, Arminian, Lutheran, Calvinist, Samaritan, or Jew.

Yet this, the greatest of all the consequences which flowed from the Reformation, was the furthest from the minds of the Reformers themselves, and there were few among them who would not have been loud in deprecating so undesired a catastrophe. The first and greatest of them contented themselves chiefly with negation — protesting against the lies with which the Church of Rome was choking them. But as the struggle deepened, the fiery tempers which it developed could not rest till they had produced positive doctrines which they could inflict at the sword's point as remorselessly as their late tyrants. The guidance of the great movement was snatched from the control of reason to be made over to Calvinism; and Calvinism, could it have had the world under its feet, would have been as merciless as the Inquisition itself. The Huguenots and the Puritans, the Bible in one hand, the sword in the other, were ready to make war with steel and fire against all which Europe for ten centuries had held sacred. Fury encountered fury, fanaticism fanaticism; and wherever Calvin's spirit penetrated, the Christian world was divided into two

armies, who abhorred each other with a bitterness exceeding the utmost malignity of mere human hatred.

The great religious drama of the sixteenth century was played out between five countries, England, Scotland, France, Spain, and the Netherlands. The more moderate genius of Lutheranism delayed the conflict in Germany to a later generation. Could the English aristocracy have had their way it would have been delayed in England also, but they played their cards badly.

In Paris the traditions lingered of the wars between Charles and Francis. Catherine de Medici and her sons cared less for religion than for France, and they dreaded Spain more than they hated Protestantism. The Queen Mother and the French nobility had not forgotten St. Quentin, or their lost provinces in Italy, or their forfeited supremacy in Europe. Henry II., who, it was said, would have made an alliance with the Devil if it would second the interests of France, and his widow, who was of the same way of thinking, would have gladly reconciled Catholic and Huguenot, that the united country might be the stronger against her foreign rivals. For the Huguenots, as such, neither Henry nor his Queen had felt either respect or regard. The King had contemplated more than once a general massacre of them, as the best means of settling a troublesome question. He had spoken of it to the Prince of Orange after St. Quentin. The Duke of Alva afterwards talked it over with Catherine at Bayonne. But the swords of the bravest of their subjects were too useful to be sacrificed in the uncertain condition of Europe, and Henry had ever a second policy in reserve, of which the King of Navarre, the

Colignys, and the English alliance were the instruments. Catherine de Medici had declined upon the whole to be guided by Alva. A league was afterwards believed to have been concluded, between France and Spain and the Pope, for the extermination of the heretics; but the House of Lorraine had taken upon themselves, without authority, to speak for their country; and when the death of the Duke of Guise had relieved the court from the heavy pressure of his influence, the efforts of the government were directed ever to the discovery of some possible system of toleration by which Catholic and Protestant might live together without flying at one another's throats, each with some kind of liberty to pray to God in their own form and way. It was not in mercy, for Catherine had no such weakness. It was not in large-minded wisdom, for her understanding was mean and narrow. She was emphatically a godless woman; she cared nothing for religion either way; she inherited a jealousy and suspicion of Spain, and she wished to keep France undisturbed by civil war.

Yet whatever her motives, her policy would have been a happy one had her subjects allowed her to pursue it. In France, however, as in most other places, the passions of the multitude were too hot for control. The Reformation had entered there in the form of Calvinism. The Huguenot was as unmanageable as the Catholic: had he power, as he had will, he would have dragooned France as Calvin dragooned Geneva. Both sides were possessed with a vindictive hatred, and both alike made impossible the maintenance of the Edicts with which from time to time the Queen Mother had attempted to pacify them. The minister could not preach in Paris, the priest could say no mass at

Rochelle; and with the smothered flames bursting out now here now there in local massacres, they lay watching each other in suspended hostility, and only waiting their opportunity to strike some deadly blow.

After four years' precarious observance the peace of Amboise was broken. The Admiral and the Prince of Condé, in the summer of 1567, encountered some suspected treachery against themselves by an attempt to seize and carry off the young King. Missing their purpose, they took the field, and in a battle under the walls of Paris the old Constable Montmorency was killed. A second treaty followed;[1] concessions were made on both sides, and again there was a hope of peace. But it came to nothing. In the summer of 1568 the Prince of Condé was established at Rochelle, the virtual sovereign of France south of the Loire; and with the same curious sympathy between the Reformation and buccaneering which had shown itself in England, his fleets were roving the ocean by the side of Hawkins and Frobisher.

In France some fierce catastrophe was visibly approaching. The people were at fever heat, the government purposeless and incompetent. Far different was the attitude of Spain. Other nations were divided in opinion. Spain had no such difficulty. The faint footprints of Protestantism in Castile had been easily erased by the Inquisition. The conquest of Grenada, and the crusading enthusiasm which had accompanied it, had revived the heroism and the superstition of the twelfth century. New life had sprung up in the decaying monasteries. The religious orders, in the genuine fervour of the middle ages, girt their loins with sackcloth, disciplined their rebellious flesh with scanty

[1] March 7, 1568.

diet and knotted cord, and, with the revived austerities, regained their power over the intellects and consciences of men. As the Puritans of New England regarded the warlock and the witch, so to the fanatical Castilians those accursed infidels who denied Christ's bodily presence in the Holy Eucharist appeared as children of Satan, monsters self-infected with a leprosy of soul; and every man who feared God set himself with heart and arm, life and substance, to root out the poison from every corner of the land.

In the Peninsula the work was soon finished. Each priest and monk was a ready-made soldier of the Inquisition — without mercy, even as God, in their view of Him, was without mercy. The civil power lent a willing hand. Evidence was not sifted too curiously when the object was to make a clean sweep of a nest of vipers. Suspicion was certainty: for none were suspected who were not at least lukewarm; and to be lukewarm was to be a heretic at heart. The rack, the dungeon, the stake, the gibbet, soon purified the Spanish dominions of Philip II. In Sicily, Naples, and Lombardy there was even less difficulty. In the neighbourhood of the Papacy art throve, and science, and Machiavellian statesmanship; but there was not religion enough to make men care whether their creed was true or false. Beyond the Atlantic, Christianity was as yet known only in the form in which it had been preached by the Dominicans; the only heretics who had set foot there were the English pirates, whose missionary exploits were inconsiderable.

But there was one plague-spot in the Spanish Empire — one damning exception to the splendid orthodoxy of the subjects of the Castilian Prince. Political ingenuity has as yet contrived no scheme of govern-

ment which on the whole works better than monarchy by hereditary succession. To choose a ruler by the accident of birth, is scarcely less absurd in theory than the method so much ridiculed by Plato, of selection by lot: yet the necessity of stability, and the difficulty, hitherto unsurmounted, of finding any principle of election which will work long without confusion, have brought men to acquiesce in an arrangement for which reason has nothing to urge; and to provide a remedy for the mischief otherwise inevitable by erecting a sovereignty of law, supreme alike over monarch and subject, and by restricting the privileges of the crown within strict constitutional limits.

The evil of the hereditary principle appears in its most aggravated form, when, through royal intermarriages, two nations have been tied together which have no natural connection either in language, habit, or tradition; especially when they are situated at a great distance from one another, and when a country before independent is governed by the deputy of an alien sovereign.

Such was the position of the densely peopled group of Provinces on the mouth of the Rhine, under the Spanish Prince. Their own dukes, long the equals of the proudest of the European sovereigns, had become extinct. The title and the authority had lapsed to a monarch who was ignorant of their language, indifferent to their customs, and with interests of his own separate from, and perhaps opposite to, theirs. It was the more necessary for them to insist on their established hereditary privileges, larger, happily for them, than those which bound the hands of any other duke or king. So long as these rights remained unviolated, the Netherlands had given little cause to their new

sovereign to complain of their loyalty. The people had found their advantage in being attached to a powerful monarchy, which protected them from their dangerous neighbours. They had paid for the connection by contributing freely with their wealth and blood to the greatness of the empire of which they were a part.

They had endured without complaining occasional excesses of the prerogative; but they had endured them as permitted by themselves, not as encroachments which they were unable to resist. The observance of the coronation oath was not left to the authority of conscience, and the monarch was without power to perjure himself, however great might be his desire. Every province had its own jurisdiction — its separate governor, by whom its military strength was administered; every town had its charter and its municipal constitution, and against the will of the citizens legally declared, no foreign garrison might be admitted within their walls; oppression was impossible, until the civil liberties which the King had sworn to respect were first invaded and crushed.

Thus the Provinces were thriving beyond all other parts of Europe. Their great cities were the marts of the world's commerce — their traders covered the seas, and the produce of their looms was exposed for sale in every market-place in Christendom. Their merchants were succeeding to the wealth and the importance which were fading from Genoa and Venice; and their sovereigns had been long careful to conciliate the loyalty of subjects so eminently useful. The burghers of Bruges and Antwerp had done more for Charles V. in his long grapple with France than the mines of Mexico and Peru; and until the Provinces

felt the first shock of the religious convulsion, no question had risen to overcloud the pride of the Flemings in the glories of their imperial master.

Where the minds of men were in such activity, the doctrines of the Reformation readily found entrance; yet notwithstanding, with skilful handling, the collision might have been avoided between the people and the crown, and the Netherlands might have been held loyal, not only to the Spanish Crown but to the See of Rome. As in England, the movement began first among the artisans and the smaller tradesmen. The possession of wealth inclines men everywhere to think well of the institutions under which they have prospered, and the noblemen and opulent citizens of Flanders and Brabant were little inclined to trouble themselves with new theories. They were Catholics because they had been born Catholics, but they held their religion with those unconscious limitations which are necessitated by occupation in the world. The modern Englishman confesses the theoretic value of poverty, the danger of riches, and the paramount claims upon his attention of a world beyond the grave; yet none the less he regards the accumulation of wealth as a personal and national advantage. He labours to increase his own income; he believes that he does well if he leaves his family beyond the necessity of labouring for their livelihood: he reads and respects the Sermon on the Mount; he condemns and will even punish with moderation those who impugn its inspiration; yet in the practical opinions which he professes and on which he acts, he directly contradicts its precepts. The attitude of the wealthy Netherlander towards the Catholic faith was very much the same. He did not wish to become a Protestant. He

was ready to treat the profession of Protestantism as a considerable offence; but as the Publican was nearer the kingdom of heaven than the Pharisee, so the manufacturers of Ghent were protected from fanaticism by their worldliness. They were willing to continue Catholics themselves; and to maintain the Catholic Church in all its dignity and honour; but they did not desire to ruin themselves and their country by the death or exile of their most industrious workmen.

Between this point of view and that of the Spaniard there was an irreconcilable difference. The Catholic religion was of course true, paramount — whatever else it wished to be called; but they believed in it as established religions always are believed in by men who have much else of a useful kind to think about. To the Spaniard, on the other hand, his religion was the all in all. It did not change his nature — because his mind was fastened on the theological aspect of it. He was cruel, sensual, covetous, unscrupulous. In his hunger for gold he had exterminated whole races and nations in the New World. But his avarice was like the avarice of the spendthrift. Of the careful daily concentration of his faculties in the pursuit of wealth by industrious methods he was incapable. The daily occupation of the Fleming was with his ledger or his factory; the Spaniard passed from the mass and the confessional to the hunting-field, the tilt-yard, or the field of battle.

The most important of the national characteristics were combined in the person of Philip II. The energy, the high-mettled spirit, the humour, the romance, the dash and power of the Spanish character had no place in him. He was slow, hesitating, and in common matters uncertain. If not deficient in per-

sonal courage, he was without military taste or military ambition. But he had few vices. During his marriage with Mary Tudor, he indulged, it is said, in some forbidden pleasures; but he had no natural desire for such things, and if he did not forsake his faults in this way, he was forsaken by them. He was moderate in his habits, careful, businesslike and usually kind and conciliatory. He could under no circumstances have been a great man; but with other opportunities he might have passed muster among sovereigns as considerably better than the average of them: he might have received credit for many negative virtues, and a conscientious application to the common duties of his office. He was one of those limited but not ill-meaning men, to whom religion furnishes usually a healthy principle of action, and who are ready and eager to submit to its authority. In the unfortunate conjuncture at which he was set to reign, what ought to have guided him into good became the source of those actions which have made his name infamous. With no broad intelligence to test or correct his superstitions, he gave prominence, like the rest of his countrymen, to those particular features of his creed which could be of smallest practical value to him. He saw in his position and in his convictions a call from Providence to restore through Europe the shaking fabric of the Church; and he lived to show that the most cruel curse which can afflict the world is the tyranny of ignorant conscientiousness, and that there is no crime too dark for a devotee to perpetrate under the seeming sanction of his creed.

Charles V., in whom Burgundian, German, and Spanish blood were mixed in equal proportions, was as much broader in his sympathies than Philip as he

was superior to him in intellect. He, too, had hated heresy, but as Emperor of Germany he had been forced to bear with it. His edict for the suppression of the new opinions in the Netherlands was as cruel as the most impassioned zealot could desire, and at times and places the persecution had been as sanguinary as in Spain : but it was limited everywhere by the unwillingness of the local magistrates to support the bishops ; in some of the States it was never enforced at all, and everywhere the Emperor's difficulties with France soon compelled him to let it drop. The war outlived him. The peace of Cambray found Philip on the throne ready to take advantage of the leisure which at last had arrived. Charles in his dying instructions commended to his son those duties which he had himself neglected. He directed him to put away the accursed thing, to rebuild the House of the Lord, which, like another David, he was himself unfit to raise. Philip received the message as a divine command. When the Emperor died he was at Brussels. He had ten thousand Spanish troops with him, a ready-made instrument for the work. He set himself at once to establish more bishops in the Provinces, with larger inquisitorial powers. It was not to be the fault of the sovereign if the bill of spiritual health was not as clean in his northern dominions as in Arragon and Castile.

But each year of delay had made the problem more difficult of solution. Protestantism, while it left the higher classes untouched, had spread like a contagion among the commons. The congregations of artisans in every great town and seaport numbered their tens of thousands. The members of them were the very flower of the provincial industry ; and the edicts contemplated their extermination by military force, acting

as the uncontrolled instrument of improvised illegal tribunals. The ordinary local courts were to be superseded by mere martial law; and the Netherland nobles did not choose to render themselves bound hand and foot to Spanish despotism. Their constitutional rights once suspended for their spiritual purgation, might be lost forever; and without professing any sympathy with heresy, with the most eager declaration that they desired as ardently as Philip the reëstablishment of orthodoxy, they refused to allow the location of foreign garrisons among them. They claimed their right to deal with their own people by their own laws; and Philip, after a burst of passion, had been compelled to yield. The Spanish troops were sent home, and the King, leaving his sister, the Duchess of Parma, to do her best without them, returned to Madrid, to bide his time. Seven years passed before an opportunity arrived to reopen the question. The Regent Margaret, assisted by her faithful minister the Bishop of Arras, laboured assiduously to do her brother's pleasure. Notwithstanding the opposition, she found instruments more or less willing to enforce the edicts — some sharing Philip's bigotry, some anxious to find favour in his eyes. Men capable of great and prolonged efforts of resistance are usually slow to commence struggles of which they better than any one foresee the probable consequences. Year after year some hundreds of poor men were racked, and hanged, and burnt, but no blessing followed, and the evil did not abate. The moderate Catholics, whose humanity had not been extinguished by their creed, became Lutherans in their recoil from cruelties which they were unable to prevent; and Lutheranism, face to face with its ferocious enemy, developed quickly into Calvinism. The hunted workmen

either passed into France to their Huguenot brothers, or took service with the privateers, or migrated by thousands into England with their families, carrying with them their arts and industries. Factories were closed, trade was paralysed, or was transferred from the Scheldt to the Thames. The spirit of disaffection went deeper and deeper into the people, and the hard-headed and indifferent man of business was converted by his losses into a patriot. To the petitions for the moderation of the edicts, the Duchess of Parma could answer only that she had no power, or that she must consult her brother; and the noblemen who had first interposed to prevent the continuance of the Spaniards among them began to consult what further steps might be possible. Foremost among these were the Stadtholders of the different Provinces, William of Nassau, Prince of Orange; Count Egmont, the hero of Gravelines and St. Quentin; Montigny, Horn, and the Marquis Berghen; the Prince of Orange was still under thirty and capable of new impressions; his friends were middle-aged men, unlikely to change their creed, but unwilling to sit by and see their fellow-countrymen murdered. Something they were able to effect for a time, by impeding the action of their own courts; but local remedies were partial and difficult to carry out. The vague powers of the bishops superseded the laws of the States, and the laws themselves had been formed in Catholic times when heresy was universally regarded as a serious offence: the Stadtholders could not alter them without open revolt against the sovereign, which as yet they had not contemplated. They could but solicit Philip, therefore, to moderate the violence of the administration, and suspend the edicts till milder measures had been tried.

Such advice to the King of Spain was like the carnal policy of the children of Israel in making terms with the idolaters of Canaan. What to him were the lives and industries of his subjects compared to their immortal souls? Better that the Low Countries were restored to the ocean from which they had been recovered; better that every man, woman, and child should perish from off the land, than that he should acknowledge or endure as his subjects the enemies of God. To him the man who endeavoured to protect a heretic was no less infamous than the heretic himself. Compared with the service of the Almighty, the rights of the Provinces were mere forms of man's devising; and, with a purpose hard as the flinty pavement of his own Madrid, he temporised and gave doubtful answers, and marked the name of every man who petitioned to him for moderation, that he might make an example of him when the time for it should come.

At length driven mad by their own sufferings, encouraged by the attitude of their leaders, and by the apparent absence of any force which could control them, the commons of the Netherlands rose in rebellion, sacked churches and cathedrals, burnt monasteries, killed monks when they came in their way, set up their own services, and broke into the usual excesses which the Calvinists on their side considered also supremely meritorious.

The Stadtholders put them down everywhere, used the gallows freely, and restored order; but the thing was done, the peace had been broken, and Philip had the plea at last for which he had long waited — that his subjects were in insurrection, and required the presence of his own troops to bring them to obedience. An army, small in number but perfect in equipment

and discipline, was raised from among the choicest troops which Spain and Italy could provide. The ablest living soldier was chosen to command them. The Duchess of Parma was superseded, and the military government of the Netherlands was entrusted to Ferdinand of Toledo, Duke of Alva.

The name of Alva has descended through Protestant tradition in colours black as if he had been dipped in the pitch of Cocytus. Religious history is partial in its verdicts. The exterminators of the Canaanites are enshrined among the saints, and had the Catholics come off victorious, the Duke of Alva would have been a second Joshua. He was now sixty years old. His life from his boyhood had been spent in the field, and he possessed all the qualities in perfection which go to the making of a great commander and a great military administrator. The one guide of his life was the law of his country. He was the servant of the law and not its master, and he was sent to his new government to enforce obedience to a rule which he himself obeyed, and which all subjects of the Spanish Crown were bound to obey. His intellect was of that strong practical kind which apprehends distinctly the thing to be done, and uses without flinching the appropriate means to do it. He was proud, but with the pride of a Spaniard — a pride in his race and in his country. He was ambitious, but it was not an ambition which touched his loyalty to creed or king. In him the Spain of the sixteenth century found its truest and most complete representative. Careless of pleasure, careless of his life, temperate in his personal habits, without passion, without imagination, with nerves of steel, and with a supreme conviction that the duty of subjects was to obey those who were set over them —

such was the famous, or infamous, Duke of Alva, when in June 1567, in the same month when Mary Stuart was shut up in Lochleven, he set out from Italy for the Netherlands. He took with him ten thousand soldiers, complete in the essentials of an army, even to two thousand courtesans, who were under military discipline. He passed over Mont Cenis through Savoy, Burgundy, and Lorraine. In the middle of August he was at Thionville; before September he had entered Brussels.

The Prince of Orange, who knew the meaning of his coming, had provided for his safety and had retreated with his four brothers into Germany. Egmont, conscious of no crime except of having desired to serve his country, remained with Count Horn to receive the new governor. In a few weeks they found themselves arrested, and with them any nobleman or gentleman that Alva's arm could reach, who had signed the petitions to the King. Proceeding to business with calm skill, the Duke distributed his troops in garrisons among the towns. With a summary command he suspended the local magistrates and closed the local courts. The administration of the Provinces was made over to a Council of which he was himself president, and from which there was no appeal. Tribunals commissioned by this body were erected all over the country, and so swift and steady were their operations, that in three months eighteen hundred persons had perished at the stake or on the scaffold.[1]

Deprived of their leaders, and stupefied by these

[1] *History of the Dutch Republic*, Vol. I. p. 136. The merits of Mr. Motley's history have been recognised so generally, that further praise would be impertinent and superfluous. I may be permitted, however, as a fellow-traveller on a parallel road, to thank him for the light with which his pages never fail to furnish me whenever I turn to them.

prompt and dreadful measures, the people made little resistance ; a few partial efforts were instantly crushed, and their one hope was then in the Prince of Orange. The Prince, accepting Alva's measures as an open violation of the constitution, without disclaiming his allegiance to Philip, at once declared war against his representative, raising money on the credit of his own estates, and gathering contributions wherever hatred of Catholic tyranny opened a purse to him. He raised two armies in Germany, and while he himself prepared to cross the Meuse, his brother Count Louis entered Friesland. Fortune was at first favourable. D'Aremberg, who was sent by Alva to stop Louis, blundered into a position where even Spanish troops could not save him from disaster and defeat. The patriots won the first battle of the war, and D'Aremberg was killed.[1] But the brief flood tide soon ebbed. Alva waited only to send Horn and Egmont to the scaffold, and took the field in person. Count Louis' military chest was badly furnished, and soon empty. The Germans would not fight without pay, and Louis had no money to pay them with. As Alva advanced upon them they fell back without order or purpose, till they entrapped themselves in a peninsula on the Ems, and there, in three miserable hours, Count Louis saw his entire force mowed down by his own cannon, which the Spaniards took at the first rush, or drowned and smothered in the tideway or the mud. The Duke's loss, if his own report of the engagement was true, was but seven men.[2] The account most favourable to the patriots does not raise it above eighty. Count Louis, with a few stragglers, swam the river

[1] Battle of Heiliger Lee, May 23, 1568.
[2] Battle of Jemmingen, July 21.

and made his way to his brother, for whose fortune so tremendous a catastrophe was no favourable omen. The German States, already lukewarm, became freezing in their indifference. Maximilian forbade Orange to levy troops within the Empire. Orange, however, had a position of his own in Nassau, from which he could act at his own risk upon his own resources. He published a justification of himself to Europe. By loan and mortgage, by the sale of every acre which he could dispose of, he again raised money enough to move; and on the 5th of October, he led thirty thousand men over the Meuse and entered Brabant.

So matters stood on the Continent in the summer and autumn which followed Mary Stuart's flight to England, and they had contributed no little to Elizabeth's embarrassment. If the Prince of Orange fared no better than Count Louis, the Reformation, it appeared, would be trampled out in the Low Countries, and the close neighbourhood of Alva with a victorious army of Catholic fanatics could not but affect considerably the temper of her own people. Personally Elizabeth had but little sympathy with the Netherlanders. She was a Lutheran, and the Netherlanders were Calvinists. The refugees caused her continual trouble, both in themselves and in the rapidity with which they made proselytes. The Lutherans detested the Calvinists as bringing a reproach upon the Reformation. The Catholics encouraged them by affecting to make a marked distinction between the two forms of heresy. They avoided meddling with the Confession of Augsburg, till they had first disposed of the more dangerous doctrines of Geneva; and they desired it to be understood that, except for Calvin and Calvin's disciples, the wounds of Europe might be amicably healed.

This feeling lay at the bottom of much of Elizabeth's Church policy. So long as the Church of England was not Genevan she might hope to be let alone. If Scotland could be recovered from Geneva, the King of Spain would have the less temptation to interfere in behalf of Mary Stuart. De Silva, with entire honesty, confirmed her in this impression, warning her only against those who, by driving her further, would make reconciliation impossible; and she, in turn, listened with seeming satisfaction to the account of Alva's successes. When Egmont was executed, she expressed some regret that he had not been heard in his defence; but she admitted that he had deserved his fate, and she complained of the unreasonableness of mankind, who when crimes were committed clamoured for their punishment, and when the punishment came could only compassionate the sufferers.[1] The Ambassador was allowed to celebrate the battle of Jemmingen with high mass, Te Deum, and a grand festivity with his Catholic friends.[2] Elizabeth speaking of the action said, that the Duke's victory reminded her of what was said of a gentleman who, with his servant, was set upon by a dozen thieves, and killed or disabled them all, — "One man with a head on his shoulders was worth a dozen without." She "was delighted at the

1 "Diciendome que era cosa estraña la condicion y liviandad de los hombres; porque quando veian á los que habian excedido libros, los deseaban ver castigados, y quando los veian en el castigo, se movian á compassion." — De Silva to Philip, June 20: *MS. Simancas.*

2 "News be come that the Duke of Alva hath given a great overthrow unto the Protestants, and hath slain of them to the number of 7000. And for joy thereof, the Ambassador of Spain, which lyeth in my Lord Paget's house, made a great bonfire and set out two hogsheads of good claret to drink, come who would, and two of beer, the which I and my wife went in and drank there; the which there was of my neighbours that said we were partakers of their fornication because we drank of their wine." — Oswald Wilkinson to the Earl of Northumberland, August 9: *Domestic MSS.*

Duke's success, as she was with any good fortune which befell her brother the King of Spain." [1]

Something of this language was perhaps affected. Elizabeth, with the Queen of Scots upon her hands, could not afford to sympathise with rebels. Unfortunately, rebellion and Protestantism in all countries but her own were going hand in hand, and she was alike frightened and exasperated at seeing that the Reforming part of her own subjects were drifting further and further from her own standing-ground. More and more every day they were shifting in the Genevan direction; her own Council was tainted, and her Catholic subjects had better and better ground for complaining of the laws, which forbade them the exercise of their own creed; when doctrines equally heretical from the Lutheran point of view might be taught openly in the churches. Thus, being forever in fear of the example being turned against herself, she disclaimed for herself all sympathy with the foreign Protestants. She ostentatiously claimed communion for her own Anglicanism with the mystic body of the visible Church, and De Silva caught at every opportunity of encouraging her humour, applauding the loyalty of her Catholic subjects, and contrasting their temper with the anarchic libertinism of the heretics.[2]

[1] De Silva to Philip, August 9: *Domestic MSS.*

[2] A noticeable passage occurs in one of De Silva's letters, showing how far less inveterate the Catholics really were against the Lutheran and Anglican theory than against the Calvinists. It was Calvinism which was making the rent incurable, and splitting Christianity into the Romanism of Trent and a fanaticism which fought the battle of liberty with a spirit which a milder creed would have failed to evoke, but which, when the victory was gained, became itself a tyranny no more tolerable than that of Rome itself.

"Those," said De Silva, "who call themselves of the religio purissima go on increasing. They are the same as Calvinists, and they are styled Puritans because they allow no ceremonies nor any forms save those which

She was going on progress at the end of the summer. On the 6th of August she came down from Hampton Court, and spent a day at the Charterhouse as a guest of the Duke of Norfolk. She went through the streets as usual in an open carriage, that the people might see her. She was received everywhere with the passionate enthusiasm which showed that her policy had endeared her permanently to the people. De Silva, who accompanied her, remarked on the pleasure which such a scene must give her. She said that her subjects loved her because, while the other nations of Europe were tearing each other in pieces, they alone, under her rule, were living in safety under

are authorised by the bare letter of the Gospel. They will not come to the churches which are used by the rest, nor will they allow their minister to wear any marked or separate dress. Some of them have been taken up, but they have no fear of prison, and offer themselves to arrest of their own accord.

"So far as we can see, the majority of Protestants here believe in Calvin; but they hold so many opinions together, that I cannot tell for certain what they are, nor can they agree on any point among themselves. If they were not blind they would see their own folly. There is a suspicion that a party in the Council would like to bring the Queen over to their views; that so all the Protestants in England might be of one mind. If they were agreed, they think they would be better able to maintain themselves, and they would then endeavour to give the same complexion to heresy everywhere else. I thought it would be a serious misfortune if these persons were to succeed, and I therefore took occasion to warn the Queen of the danger from these *libertines* to herself and to Princes generally. Libertines I called them — for revolt against authority in all forms is their real principle. I said, I understood she had been advised to give up the Confession of Augsburg, to which she has professed to adhere, and to take to this other form. I trusted she would be careful, and would not allow herself to be misled.

"She answered that I need not alarm myself; not one of her Council would dare to propose such a thing to her.

"I said that this was very likely. The Council knew that she was too wise; but though they might not suggest it openly, they might put things before her in such a way that she might take fright, and so be brought round to their purpose. There were plenty of such people in the country, but their number would not save them, and they would come to ruin at last." — De Silva to Philip, July 3: *MS. Simancas.*

their own vine and fig-tree. "To God she owed it," she said; "it was the marvellous work of His hand." Where the crowd was thickest, she stopped her horses, stood up, and spoke to those who were nearest to her. At one place De Silva remarked a venerable-looking man putting himself conspicuously forward, shouting "Vivat Regina! Honi soit qui mal y pense!" "That," said the Queen, with evident pride, "is a priest of the old religion." "And thus, Madam," said the Ambassador, "you see a proof of what Catholics are. Catholics are the support of thrones, which heretics destroy. In them your Majesty will find the loyalty which will be your stay in the day of trouble, and therefore I have ever prayed you to take care of them, and to forbid their ill-treatment." [1]

Elizabeth had clung as it were convulsively to this happier aspect of her Catholic subjects, hoping that a time would come when the Anglicans and they could come together on some moderate common ground — such a ground as might have been found for all Europe, had not passion been called in to deal with questions which only intellect could grapple with. But the passion was there, and growing. The two moving powers in the Western Churches were Calvinism and Ultramontanism, and it became daily more manifest to Elizabeth that, besides these moderate loyal Catholics, there were others, disciples of the new school of Jesuitry and the Tridentine Council; men by whom she was herself regarded as the bastard offspring of adultery, who acknowledged no sovereign on earth but the Pope of Rome, and no country but the so-called Church — men who were only watching for the moment when she could be tripped up and

[1] De Silva to Philip, August 9: *MS. Simancas.*

hurled out of her seat, to make room for the murderer of Darnley. It was this spirit which was filling the Netherlands with blood. It was this, though she might try to shut her eyes to it, which had triumphed at Jemmingen. A day or two after the scene in the London streets she went to St. Albans, and there Cecil, writing to Sir Henry Sidney in Ireland, said, —

"The overthrow of Count Louis with the triumph of the Duke of Alva being brought to the Court, have caused the Queen's Majesty to give some hearing to such as think her security cannot have continuance if the planets keep their course." "I trust," he added, and the tone was most significant — "I trust her Majesty shall have good counsel. An ounce of advice is more worth to be executed beforehand than in the sight of perils; but as long as I have served the Queen's Majesty, Epimetheus has had more to do than Prometheus."[1]

Other causes had arisen also to make Elizabeth uneasy for her relations with Spain. Her languid attempts to suppress the privateers had been evaded and laughed at. The Channel was less infested, but they had extended their ravages to the ocean. They had united with the Huguenots of Rochelle, and sailing under Condé's flag and with Condé's commission, they had made a prey of Papists wherever they could catch them. The Duke of Alva rated the injury annually done by them to Spanish commerce at 300,000 ducats.[2] On this point Philip still showed laudable forbearance. But a quarrel of a different kind had broken out at Madrid, which threatened immediate mischief. Dr. Man, the English Minister, on his first

[1] Cecil to Sir Henry Sidney, August 10: *MSS. Ireland.*

[2] Guerau de Espes to Philip, August 25: *MS. Simancas.*

arrival there had been allowed to use the Anglican service in his own house, "without danger of the Inquisition;" but the privilege was confined to his own person; his secretaries and servants were expected to be present at mass. Elizabeth, jealous for the Catholic character of her Liturgy, did not choose that Anglican formularies should be regarded with less favour than she herself extended, under analogous circumstances, to the Missal and the Breviary. The household of the Spanish Ambassador were no more compelled to attend church than the Ambassador himself; and she insisted that Dr. Man's retinue should have analogous indulgence. She would not "endure such inequality," and made the concession a condition of the residence of an English Minister at the Spanish Court.[1]

Dr. Man had been ill-selected for a critical and difficult post. As a clergyman he believed it to be his duty to testify to his faith. He had talked largely and foolishly at Spanish dinner-tables on the Christian mysteries, and had fallen under the notice of the spiritual authorities. When he presented his demand for an extension of his privilege, he not only was met with a prompt refusal, but his personal exemptions were withdrawn. He was told that no schism should be introduced into Spain — on any plea. The King could not grant permission if he would, for the King as much as his people "was subject to the Holy House of the Inquisition."[2] The Queen of England must submit "to the order which her grandfather, father, brother, and other her predecessors had been contented withal."

[1] Elizabeth to Doctor Man, February, 1568: *MSS. Spain, Rolls House.*
[2] Doctor Man to Elizabeth, April 6; Man to Cecil, April 23: *MS.* Ibid.

A man of the world would have been silent: the Doctor remarked upon the reply in language which was held indecent. He was removed from Madrid and placed in confinement in a house six miles distant from the city; and soon after, without waiting for the letters of recall which were on their way from England, Philip took the strong step of sending him his passports and ordering him to leave the country. It was not to be construed — unless Elizabeth chose to take it so — into breaking off diplomatic relations with England. For the sake of the Catholics, Philip still desired to keep an ambassador of his own in London; but he did intend to make a change in those relations, and a change which had a distinct reference to the events which were in progress in Flanders. His present minister had been chosen when Philip wished to conciliate Elizabeth, and to remove the unpleasant impressions which had been left by the Bishop of Aquila. De Silva was a high-bred, sensible man of the world, prudent, moderate, with a natural disinclination for intrigue; capable of believing that schismatic Governments might be useful allies, and that Catholics were not necessarily saints. De Silva was now to be recalled, and a successor was appointed to his place better suited to present exigencies, in the person of Don Guerau or Gerald de Espes. On Don Guerau had descended the dropped mantle of De Quadra. Inferior to his prototype in natural genius for conspiracy, inferior to him in intellectual appreciation of the instruments with which he was working — he was nevertheless, in hatred of heresy, in unscrupulousness, in tenacity of purpose and absolute carelessness of personal risk to himself, as fit an instrument as Philip could have found to communicate

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with the Catholics, and to form a party among them ready for any purpose for which the King of Spain might desire to use them.

Though his character was unknown before his coming to England, yet Elizabeth instinctively felt that mischief was intended by the change. When De Silva waited on her at Hatfield to take leave, she concealed neither her alarm nor her regret. "Her intercourse with him," she said, "had been always agreeable. She would have been well pleased if he had remained, and she trusted in God that there was no mystery in his going."

To remove her suspicions De Silva laid the blame on himself. He said that he "had been recalled at his own request because the English climate disagreed with him."

She shook her head and seemed but little satisfied. Cecil told him that she was disquieted with the rumours of a Catholic coalition against her. De Silva was known to have received letters from the Queen of Scots, and Alva and the Cardinal of Lorraine were believed to be in correspondence on the same subject. The Queen feared that having laid a train of gunpowder, he was leaving it to be exploded by his successor.[1] The suspicion was natural, but it exceeded the truth. De Silva was able to assure Cecil with a clear conscience that, so far as he was concerned, the alarm was groundless.

Nor was Philip, as yet, in any way determined what course he meant to follow. Whatever might be his relations with the House of Lorraine, he was as far as ever from an understanding with the French Government. He still entertained no thought of taking up

[1] De Silva to Philip, August 19: *MS. Simancas.*

Mary Stuart; and although he was determined sooner or later to recover England in some way to the Holy See; although he was satisfied that as long as England remained in its present state the Netherlands would never be effectually pacified, yet in his instructions to Don Guerau he directed him especially to avoid committing himself with the friends of the Queen of Scots; and while he was to animate the Catholics, he was on no account to give Elizabeth any open grounds of complaint.[1]

But Elizabeth and her minister as yet but little understood the extreme slowness with which Philip moved. They saw Alva shaking his bloody sword across the Channel; they saw their ambassador dismissed with contumely out of Spain; they saw De Silva recalled, and his removal imperfectly explained. These signs confirmed the threatening rumours of which the air was full; and the Queen, with the Mary Stuart problem on her hands, began to listen to those who told her that, whatever her private feelings, the safety of her throne depended on the Protestants of the Continent being saved from utter destruction. A brief but pathetic letter came from the Prince of Orange to Cecil, describing the condition of his country, and rather indicating a wish than expressing a hope for Elizabeth's assistance.[2]

[1] Instructions to Don Guerau de Espes, June 28, 1568: *MS. Simancas.*

[2] "M. Secile,—Vous avez (comme je ne doubte aucunement) assez entendu de quelle façon le Duc d'Alva avec ses adherens depuis sa venue au Pays Bas ai procédé, et procède encores journellement, contre les pauvres Chrestiens, illecques estants ses cruaultez inhumanitez et tyrannies si notoires qu'il n'est besoing de les specifier, sans jamais avoir prins aucun regard aux droictz, usances, priveleges, et coustumes du pays ny au qualitez et services de ceulx qu'il ait si injustement executez, banniz et deschassez: chose certes qui a bon droict doibt mouvoir tout homme à pitié et compassion, veu mesmement que sa tyrannie s'est tant desbordée qu'elle n'a laissé lieu quelconque à raison ni justice. Donc pour l'affection que

The Prince of Condé, whose cause was identified with that of Orange, (for he too knew that if Alva was unchecked the Huguenots would be soon trampled out in France,) sent the younger Coligny, the Cardinal of Châtillon, to London, to tempt the Queen into a Protestant league. The Queen's dynastic affectations were seriously shaken. Money was sent privately to Orange, and further measures, it will be seen, were contemplated in his favour. The Cardinal Châtillon was "well received" by Elizabeth, the rather, as Cecil italicizes in one of his private notes, *to displease all Papists;* and while in the same paper he said "that it was not intended the Queen of Scots should be proved guilty of the murder," yet "there would be no haste made of her delivery, until the success was seen of the matter of France and Flanders." [1]

The agitation will now be easily imagined with which at this crisis the Queen learnt that a marriage was being talked of between the Queen of Scots and the Duke of Norfolk. Between her own vacillations and the clouds rising over the Continent the problem had become fearfully complicated. To

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j'ay tousjours eu au service du Roy et au bien de celuy pais suis este reduict en ceste extremité que d'user contre ce mal si exorbitant du remede que ce gentilhomme vous dira, vous priant que sur ce qu'il vous declaira de ma part le vouilliez croire comme moy mesme; et en cas qu'il vous requera de vostre addresse vers sa Majesté, luy prester en ce vostre bonne ayde et assistance. Vostre tres affectionné serviteur, WM. DE NASSAU. August 22." — *MSS. Flandres, Rolls House.*

[1] Notes in Cecil's hand, September 23: *MSS. Scotland, Rolls House.* It was necessary to move with extreme caution. The majority of the Council was still opposed to a Protestant policy. Alva had applied for leave to supply his army in England with winter clothes, and also with horses. The old Lord Treasurer, the Marquis of Winchester, "thought it good for his opinion that the Queen's Majesty should show her Grace's favour in that suit, for that the same might move the Duke to be ready for her Grace when he might do her any service." — The Marquis of Winchester to Cecil, September 22· *MSS. Domestic, Rolls House.*

detain Mary Stuart in England "without disgracing her to the world," would be at once dishonourable and dangerous.[1] If the more direct alternative could not be encountered, then to marry her to some steady Protestant, and allow her, so trammelled, to return to Scotland, was the safest course which could be followed. But Norfolk, the first peer in England, at once weak, flexible, and ambitious, hanging on the confines of the two religions, and dangerously liable to be tempted into Papistry, was the very last person with whom she could be safely trusted.

It has been seen that if Norfolk was not profoundly treacherous he was himself wavering about the marriage, but he was no less anxious to prevent the charges against the Queen of Scots from being pressed; and those who desired Norfolk to have her for political reasons had not been frightened by Murray's disclosures. Before the Conference broke up at York, the Bishop of Ross, Maitland, and Melville talked it over, and agreed that the alliance was the most promising means of keeping Murray silent. The Bishop afterwards had a long conversation with the Duke. Maitland, he said, recommended that the Queen of Scots should renew her abdication, the condition on which Murray insisted as the price of his forbearance; "she would then be restored to her country with honour, and within six months might revoke all that she had done."[2] The Duke answered that "anything was well to prevent the present infamy and slander." If Murray produced the letters, the Queen of Scots would be dishonoured forever," and "the Christian Princes could no longer make suit for her

[1] Knollys to Cecil, October: *MSS. Mary Queen of Scots, Rolls House.*
[2] Confession of the Bishop of Ross: Murdin, p. 52.

delivery."[1] At whatever hazard and by whatever means her good name must be protected, "and time would work the rest."

Norfolk said nothing to the Bishop about the marriage, but he had allowed Maitland to open the subject with him, and with or without his sanction Norfolk's sister, Lady Scrope, was feeling the pulse of the Queen of Scots.

The Commissioners then separated. Norfolk went north as he was ordered, and a week or two after made his way to London. Sadler, Maitland, Murray, Herries, Livingston, and the rest repaired directly to the Court; while the Bishop of Ross passed round by Bolton to consult his mistress, and take out fresh powers for the second Conference. Knollys, too, had gone again thither full of his own scheme of marrying her to his cousin Carey. Mary Stuart had thus two English alliances already projected for her. She had left another in Scotland with the heir of the Hamiltons, while exposure was hanging over her for crimes which in any other age would have disqualified her from further matrimonial speculation. It was a strange world — but none the less a real one. To her, just then, the exposure was the one matter of most importance, and she turned the different intrigues to account. She had so far no serious notion of accepting any of these suitors. She thought only of tiding over her present difficulty, and holding her friends together. She amused Chatelherault therefore with the expectation that as soon as she was released she would accept the hand of Lord Arbroath;[2] she listened graciously to Lady

[1] Confession of the Bishop of Ross: Murdin, p. 52.

[1] "It seemeth to be her policy to work to marry with my Lord of Arbroath, not only because the Duke and his house are dedicated to the French, but also because it were her own peril to countenance the Duke to

Scrope; while she flattered Sir Francis into believing that her real preference, on the whole, was for the scheme which he had suggested to Norfolk; and misleading him purposely as to the person of whom she was speaking, she let him think "that she would not greatly mislike to be offered some near kinsman of the Queen's Majesty on the mother's side." [1]

Thus provided on all sides — the Catholics forming a coalition for her into which they were labouring to bring the King of Spain; her cause gradually identifying itself with the struggle on the Continent; the Duke of Norfolk being proposed to her by the great English party who had maintained her claims to the succession; and the two sections of her own subjects labouring to come to a compromise in her favour through their joint distrust of Elizabeth — the Queen of Scots prepared to meet the future, confident on the whole that, among so many combinations in her favour, the danger which she lately feared would be warded off. In renewing the commission of the Bishop of Ross and his companions, she again empowered them to accept Elizabeth's conditions; she declared herself still ready to abandon France, and to make a permanent alliance with England "for the weal of both realms." She was willing to agree to any measure for her divorce from Bothwell; and while to Spain and France she was protesting that she was a true daughter of the Papacy, she repeated her consent to the establishment

govern upon any other occasion. But in hope thereof, however she be detained, she will countenance and maintain the Duke to the uttermost, unless her Majesty should think good to alter the matter by an English marriage." — Knollys to Cecil, October 25: *Cotton MSS., Calig. C.* 1.

[1] Knollys to Cecil, October 20: *MSS. Queen of Scots, Rolls House.* The Duke of Norfolk was related to the Queen on the mother's side, as well as the children of Lord Hunsdon.

of the Anglican Church. Constitution in Scotland.[1] If the Conference took a dangerous turn, and if, contrary to expectations, Murray pushed his accusation, the commission was to be understood to be cancelled, and the Bishop and his friends were to withdraw.

Elizabeth herself meanwhile had grown, as has been seen, into a harsher humour. The aggressive attitude of the Catholics had frightened her, and the Norfolk rumour, whether there was foundation for it or not, convinced her that the Queen of Scots could not safely be allowed to come off with flying colours.[2] After endless efforts to evade giving a direct answer to Murray's four questions, and with a saving clause that "she would not compel or embolden the Earl of Murray to enter into accusations, for that she principally wished the honour and estate of the Queen of Scotland to be preserved,[3] she brought herself to promise that, "if the guilt of the said Queen might manifestly and certainly appear," she would neither herself restore her, nor permit her to be restored, unless with assurances for her future behaviour, such as Murray himself should be satisfied with. With a profound sense of the importance of the occasion, and to leave no excuse for a complaint of unfair dealing, she summoned a great council of the Peers; and Norfolk, Winchester, Arundel, Derby, Northumberland, Westmoreland, Shrewsbury, those among the English nobles who had made themselves most conspicuous as the advocates of the

[1] Mary Stuart to the Bishop of Ross, October 22: Labanoff, Vol. II.

[2] "The Queen's Majesty is now at the point so careful for her own surety and state, as I perceive the Queen of Scots shall not by favour be advanced to greater credit than her cause will deserve, and I think it is rather to put her back than to further her. This percase the bearer understandeth not, nor I dare utter it to him — but write it to be burned by yourself." — Cecil to Sir H. Sidney, October 22: *MSS. Ireland, Rolls House.*

[3] Note in Cecil's hand, October 30: *MSS. Queen of Scots, Rolls House.*

Queen of Scots' pretensions, were required especially to be present at an investigation which at last she determined to make complete.[1] If the realm was to be further troubled in Mary Stuart's interest, Elizabeth did not mean to leave her friends excuse for pretending, in public or private, that they believed her to have been unjustly accused.

As soon as this resolution became known it was foreseen that the Queen of Scots would attempt to escape. She hunted daily about Bolton in the wildest weather, galloping so fast that her guard could scarce keep at her side. The country was open to the Border. Knollys represented that "a dozen or two troopers might easily come over the moors, leaving relays of horses on the way," and carry her off; while "to be hindered of her exercise would be death to one of her disposition."[2] Elizabeth, therefore, after quarrelling with the expense, replenished Lord Scrope's stables. "A dozen men well-armed and mounted were to accompany her wherever she went, and a dozen more patrolled under the walls at night."[3] The Berwick harquebussmen had returned home after the move from Carlisle. Knollys, however, thus reinforced, undertook to hold her safe, and having a kinsman's privilege, although he himself would not leave his charge, he sent Elizabeth in writing a few sentences of advice. When the Peers were assembled, he recommended her to hear what they would have to say, "and not prejudicate them with the opening of their opinions beforehand. If the nobility and Council did not heartily

[1] Proceedings at the Council at Hampton Court, October 30: Goodall, Vol. II.

[2] Knollys to Cecil, October 25: *Cotton MSS., Calig. C.* 1.

[3] Same to the same, November 5 and 12: *MSS. Queen of Scots.*

and sincerely join with her in that grand cause, danger would come of it." [1]

November. Care was taken that the evidence should be complete. Besides the letters, there were persons present in London who had been more or less connected with the murder, who were aware of the Queen's part in it, and ready to depose to what they knew.[2]

The intention even yet was not to find her guilty before the world. The Peers only were to be compelled to look the truth in the face, and to be forced for shame to withdraw their countenance from her. When that was done, a composition of some kind could be discovered, to which Scotland might consent; Mary Stuart's misdoings might be varnished over, and she might be spared from formal condemnation.[3]

[1] *MSS. Queen of Scots.*

[2] Nothing remains to show who these persons were, but that there were such persons in London, appears from a singular note to Cecil from Francis Walsingham, who here appears upon the stage for the first time. The note is in these words: —

"Sir, — I was willed by my friend to advertise you, that if for the discovery of the Queen of Scots' consent to the murder of her husband there lacketh sufficient proofs, he is able, if it shall please you to use him, to discover certain that should have been employed in the said murder who are here to be produced. Thus most humbly taking my leave of your Honour, I beseech God to direct all your doings to his honour. Your Honour's to command Francis Walsingham. November 20." *MS.* Ibid. *Rolls House.*

[3] Notes in Cecil's hand, November 21: *MS.* Ibid. Cecil, according to his habit, drew a scheme of the situation, and divided it into Greek antitheses: —

συμβουλευτίκη

ἄγαθον
συμφέρον
ἀνάγκαιον
ράδιον

σύγκρισις τῶν

ἀγάθων
καὶ
συμφέρων (sic).

"The best for England," he said, "but not the easiest, would be to **leave the Queen** of Scots deprived, and Scotland to continue as it was. **The**

Such an issue to the Queen of Scots appeared little less dreadful than a public declaration of her iniquities. Her friends, she trusted, might still prevent it, but her best hope was with her own subjects. If she was to be restored at all, she knew that for their own sake, as well as for the honour of Scotland, they would prefer to receive her back with an unstained name; and since the restoration still formed a part of Elizabeth's programme, she made use of the lever to work on Murray: she sent him word that so long as he and his friends abstained from accusing her, she was ready "to make an appointment;" and to give them any security they desired for their lives, their estates, and their share in the administration of the country. If they chose to dishonour their queen, at the bar of a foreign prince, "no love or assured reconciliation could be obtained afterwards." She did not wish to accuse her subjects; still less did she wish them to accuse her. If they would abstain from "rigorous and extreme dealing," she on her part would forget that they had rebelled against her.[1]

She knew that Murray had good reason to mistrust Elizabeth, and she believed that her overtures would be accepted. If she failed and the accusation pro-

next best and not so hard, "that the Queen of Scots should be persuaded to allow her son to remain King; she herself to keep the name of Queen, and Scotland to be governed by a commission. The Anglican Church to be established; a general amnesty declared; the Hamilton succession allowed and guaranteed; the Queen of Scots herself to remain in England, and not to leave it without Elizabeth's permission; and the young King to be brought up in England also, with a view to his eventually succeeding to the English crown.

These conditions would at any time have satisfied Scotland, with or without the confirmation of Mary Stuart's deposition; but, to the last of them especially, Elizabeth herself could never be brought to consent.

[1] The Queen of Scots to the Bishop of Ross and Lord Herries, November 22: Goodall, Vol. II.

ceeded, she demanded to be heard in person in reply before the assembled English Peers.[1]

With this prelude the Conference reopened at Westminster on the 25th of November. The three English Commissioners were reappointed; Bacon, Arundel, Leicester, Clinton, and Cecil were added to their number; the remaining noblemen who had received a summons were to join them at a later stage in the enquiry. To evade the appearance of a claim to exercise jurisdiction, the Painted Chamber, a room never used for judicial purposes, was selected as the place of meeting. On the first day the Commission was read, the oaths taken, and the formalities got over. The Bishop of Ross entered a "protestation, that while ready to treat for an arrangement, he was submitting to no form of judgment, nor would admit any judge or judges whatever" to have authority over his sovereign.

November 26. The next day, Friday the 26th, the serious part of the business began. The proceedings were taken up where they had been dropped at York. The accusations against Murray were read over, with his imperfect answer. The replies which he had so far made had been easily answered. He was asked if he had a further defence.

It seems when he rose that no one present knew what he intended to say. Every effort had been made to induce him to be silent, and Elizabeth's explanations had not been of that frank and unreserved kind which alone, he had said at York, would tempt him to proceed. Neither is there reason to suppose that any further promises had been made to him in private. He felt, possibly, that with falsehood and purposes

[1] Goodall, Vol. II.

half-avowed all around him, the only safe treading for him was on the open road. His friends believed that he had fallen into a snare which Elizabeth had laid for him. If it was so, he had at least brought off his good name untarnished from that nest of illusion and intrigue.

He said that he himself, and the Lords his confederates, had sought only, in all which they had done, to clear Scotland of the disgrace which the murder of Darnley had brought upon it. The world had seen their unwillingness to publish matters to strangers which tended to the Queen's infamy. They could have cleared their conduct long before, had they cared to make known the evidence against her which they possessed and on which they had acted; but they had chosen rather to endure the reproach which was cast upon them; and he would have still remained silent, "if the continuance of Scotland in the state of a kingdom and the profession of true religion" would have permitted. "He had no delight to see his sovereign dishonoured, but his adversaries left him no choice but to produce the writings which they knew that he possessed." With these words, the Regent laid on the table a written declaration that his sister had been the contriver and deviser of the murder of which Bothwell had been the instrument.

The accusation was given in. The evidence on which all would turn was still in reserve. It was not the assertion that she had approved of the murder which she feared, for that might have been forgiven; but Maitland had sent her copies of the contents of the casket — the careless sonnets, in which she had allowed her passion to run over; the letters, in which she had exposed the very inmost working of the mad-

ness which had possessed her, with the details of her treachery to her miserable husband, at which she had herself revolted in the heat of her delirium. Bothwell had preserved them all, and all were in Murray's hands; and no man or woman was ever born into the world who could contemplate, without terror, such exposure of their inner selves.

The Conference was prorogued for three days. The English Commissioners went down to Hampton Court to inform the Queen of what had passed. It was perhaps supposed that Mary Stuart, sooner than allow matters to advance further, would fling herself at Elizabeth's feet — abdicate, marry George Carey, marry anybody, or do anything — to escape the deadly disgrace.

On the 29th the session was renewed. The Bishop of Ross was late in coming, and while the Commissioners were waiting for his appearance, the Earl of Lennox, who, it seems, had at last obtained permission to be present, applied to be heard in confirmation of Murray's charges. It was a departure from the scheme which Elizabeth had designed; Murray was to have been merely a defendant, and the Queen of Scots the plaintiff. It was decided, however, that Lennox should be admitted, and he was allowed to speak at length about the murder. "He produced in writing" parts of such matters as he conceived to be true for charging the Queen of Scots, and he appealed to God and the Queen of England for justice.

As he finished speaking, the Bishop of Ross entered with his colleagues. On learning what had taken place, they again withdrew to consult. "After some reasonable time they returned and said, they had found it very strange and a thing unlooked for, that the other

party could put in writing any such matter with such boldness and in such sort, especially considering the Queen their sovereign had so much benefited the greater part of them." They were ready to defend her if necessary, "but it became not subjects to touch their sovereign in such manner." "The matter was of great weight," and they could not say on the moment what answer they were prepared to give.

As Elizabeth had misled the Queen of Scots into taking refuge in England, so now she had broken the promise with which she had tempted her to consent to the investigation. The Bishop went for advice to La Mothe Fénelon, whom the favourable reception of Cardinal Chatillon had made better inclined than was at first expected to the Queen of Scots' interests.

Had there been any chance of making a successful defence, it is idle to pretend that the Bishop of Ross would not have tried it; but in the [illegible] possible innocence of Mary Stuart no tolerably well-informed person affected in private to believe. La Mothe thought that her life was in danger. The lawyers said, that having come into the realm without a passport, she had fallen under Elizabeth's jurisdiction, and might be tried at the suit of the Earl of Lennox for the murder of an English subject. She might deny her letters, but in the presence of so much corroborative evidence her own word would hardly avail her. It was thought at one time that she had better say that she was innocent; but that if she was not innocent, Bothwell was a necromancer, and that she had been bewitched.[1] Her

[1] "Et que l'on pourra aussi alleguer que quant bien la dicte Dame auroit attempté quelque chose en cest endroict, ce qu'elle ne fit oncques, le Conte de Boduel l'y auroit induicte et contrainte par force d'enchantment et d'ensorcelement, comme il en sçait bien le mestier, n'ayant faict plus grande proffession du temps qu'il estoit aux escolles que de lire et estudier en la

friends must have been hard pressed to think of such an excuse. La Mothe, on the whole, advised the Bishop to parry the charges by recusation, to evade the issues, and "tract time." Meanwhile he would inform his own Court, and some one would be sent over from France to remonstrate with Elizabeth against trying a crowned Princess.[1]

December. On the 1st of December the Bishop and Lord Herries intimated that they were prepared to reply. The Earl of Arundel, who had been absent hitherto from a real or pretended illness, had now joined his colleagues. Herries spoke first. He said that he had considered Murray's charges. They were mere calumnies, invented by him and his friends from a fear that they would be deprived of the estates which had been granted to them in the Queen's minority. He required the Commissioners, as they were men of honour, and "divers of them of the most antient and noble blood, [illegible] realm," to suspend their opinion, and consider how dangerous the example might be if subjects were allowed to depose their Princes. Among those who now appeared as her accusers, were some who had been themselves parties to the conspiracy.

Herries was here on dangerous ground, for he was chiefly touching Maitland, and Maitland was working day and night for the Queen.

The Bishop of Ross followed. He said that he was forbidden by his commission to enter upon the question which had now been raised. The Conference had been assembled to hear the complaints of his mistress

négromancie et magie defendu." — La Mothe Fénelon au Roy, November 29: *Dépêches*, Vol. I.

[1] Ibid.

against Murray, not that she herself should answer before it as a criminal. The Earl of Murray had been allowed to accuse her, contrary to the engagements of the Queen of England. If his mistress were to reply, she would reply only in person "for declaration of her innocency" before the Queen and the Peers.[1]

Elizabeth was still at Hampton Court, and as the Bishop declined to take an answer except from Elizabeth herself, the Conference was adjourned thither. At the next session, on Friday December 3d, the Queen appeared and took her seat. A private intimation had been conveyed to the Bishop, "that whether his mistress was faulty or not faulty, she would be found in fault in the end, and by colour thereof the Queen of England would forsake her."[2] The Bishop at once charged Elizabeth with breach of faith. She had been told from the first that the Queen of Scots had forbidden her Commissioners to reply to any accusation which touched her honour. He had been sent with his colleagues to consult on the means of reconciling her with her subjects. Since they had been allowed or encouraged to take their present attitude, those hopes were now at an end. The Queen of Scots "would never hereafter extend her clemency to them." He demanded the instant arrest of Murray and his friends, and permission to his mistress to appear in her own defence.

The tone was bold. "The Commission had now entered," as Sir Francis Knollys expressed it, "into the bowels of the odious accusation." Now more than ever, Knollys entreated Cecil to make clear work with

[1] Proceedings of the Commission, December 1: Goodall, Vol. II. *Compare MSS. Queen of Scots, Rolls House.*

[2] *Cotton MSS., Calig. C.* 1.

it; being sure only of this, "that unconstant wavering or unsound agreement might breed great dangers."[1] Every one agreed that since the Queen of Scots had been accused, her request to be allowed to speak for herself ought not to be refused. It was a quasi admission of English jurisdiction in Scottish causes — a concession in itself of no small importance. Some thought that she should be heard before the Queen in person, with the whole body of the Peers and Privy Councillors, and that the foreign Ambassadors should be allowed a voice. Others thought that although the ultimate judgment should rest with the Queen, the cause itself should be tried by Special Commission, and the Ambassadors, though present, should be admitted only as spectators. But all allowed that in some form or other Mary Stuart ought to be allowed the natural right of every accused person. Almighty God had not condemned Adam, till Adam had been called to answer for himself.[2]

But there was to be no trifling. If a court of this kind was to be held at all, the Bishop of Ross was not allowed to remain in any illusion on the form which the proceedings would assume. If the Queen of Scots appeared on one side, the evidence would be brought forward on the other.

The Bishop and Herries, laying aside the high language which they had used in the Court, now requested a private interview with Cecil and Leicester. They said that their mistress "had desired from the beginning that the cause should be ended by some good appointment with her subjects." They had believed the wish to be shared by Elizabeth, and before

[1] Knollys to Cecil, December 6: *MSS. Queen of Scots.*

[2] L'advis des advocatz. — *Dépêches de M. la Mothe Fénelon*, Vol. I. p. 51

the accusation was pressed further on either part, they were anxious to know whether something of the kind was not still possible.

Cecil, that he might be sure that there was no misunderstanding, made them repeat the words. He then conducted them to Elizabeth, to whom they again suggested the desirableness of stopping the case.

Elizabeth had either intentionally contrived the situation, or instantly availed herself of its advantages. She said politely, that however desirable a compromise might have been, it would now be fatal to her sister's honour. The Earl of Murray should be required to prove his allegation — she did not doubt that he would fail — and the Queen of Scots' good name would then be saved without either compromise or need of answer.

The Bishop felt his mistake, but could not extricate himself. He said his mistress ought to be heard at once; "being able to allege matter why Murray ought not to be allowed to propose anything against her, much less prove anything in her absence against her honour."

But Elizabeth seemed more jealous for the Queen of Scots' reputation than the Queen of Scots herself. She said, "that she did so much prefer the estimation of her sister's innocency, that before she would allow the matter to be stayed, she must have the Earl of Murray roundly and sharply charged with his audacious defaming of his Sovereign." The Earl of Murray would of course answer, and everything would be exposed.

Escape was now impossible. If that was her resolution, the Bishop coldly said, then she must do as she pleased. For himself, he would but enter his protest and withdraw. He was forbidden to be a party to

any further proceedings, and, so far as he had power to close it, he declared the Conference at an end.[1]

The Court was thus left alone with the Regent. The Bishop appeared only on the next session to repeat what he had said to the Queen. Murray was then introduced and put upon his defence. He was told that although he had forgotten his duty of allegiance in accusing his Sovereign of so horrible a crime, yet the Queen of England would not forget her office of a good neighbour, sister, and friend. If he had anything to allege in justification of himself, her Commissioners were ready to hear him.

Very reluctantly, embarrassed by his negotiations with Norfolk, against Maitland's advice, for Maitland believed that he was ruining himself and his friends; against his own feelings, for he perhaps alone of the whole party had some real affection for his father's daughter, — Murray, thus driven, produced the fatal casket. The depositions of the murderers who had been executed were read over, with the acts of the Scottish Parliament of the preceding December. Nelson, Darnley's servant, gave an account of the last night at Kirk-a-Field. Crawford related the scene at Glasgow before Darnley was brought to Edinburgh, with other particulars. The entire evidence against the Queen of Scots was placed in the hands of the Council, and the time was now come for the presence of the noblemen who were most her friends. The Marquis of Northampton, the Earls of Bedford and Pembroke, Lord William Howard, and Sir Walter Mildmay had already joined the Commission. To these were now added the Earls of Northumberland,

[1] Proceedings at Hampton Court, Saturday, December 4: Goodall, Vol. II.

Westmoreland, and Derby, the Earls of Shrewsbury, Worcester, Huntingdon, and Warwick. The casket was opened, and the letters, sonnets, and contracts were taken out and read. They were examined long and minutely by each and every of the Lords who were present. "They were compared for the manner of writing and fashion of orthography with other letters before written by the Queen of Scots, in the collation whereof no difference was found." [1]

"No difference was found." All the wishes to find the Queen of Scots innocent, or at least her guilt "unproven," could not remove the overwhelming force of the proofs. At first only four — Cecil, Sadler, Leicester, and Bacon — declared themselves convinced. The rest either thought or said they thought that there was still room for doubt, or that they must suspend their judgment till the Queen of Scots had been heard, or that they had themselves no right to be her judges. But Bacon pressed them to say whether, in the face of these letters, the Queen of Scots could be admitted into Elizabeth's presence; and then, "the said Earls severally made answer, that they had therein seen such foul matters as they thought truly in their consciences that her Majesty had just cause to refuse to see her, until some answer had been made first, tending in some way to clear the weight of the charge. They could not think it meet for her Majesty's honour to admit the said Queen to her presence as the case did stand." [2]

[1] See the proceedings in Goodall, the MS. account in the Rolls House, and a most curious document entitled "Relacion del negocio de la Serma Reyna de Escocia": *MS. Simancas.*

[2] Proceedings of the 15th of December: Goodall, Vol. II. The first sight of these papers seems to have affected the whole party as it had affected Norfolk at York. The Earl of Northumberland being asked afterward, whom at that time he found addicted to the Scottish Queen, answered, "he found none addicted." — *Sharp's Memorials of the Rebellion of* 1569. Appendix, p. 208.

The Queen of Scots, in applying to be heard in person, had contemplated a pageant in Westminster Hall, a jury determined to acquit her whether guilty or innocent, a declamatory defence in which she would say "that the charges against her were false because she, on the word of a Princess, did say that they were false." [1]

She was made to feel, that if she met the charge at all she must meet it formally and in detail, before a court which would try the cause by the received laws of evidence. After receiving the opinion of the Peers, Elizabeth sent for the Bishop of Ross, and gave him a choice of three ways in which the Queen of Scots might make her reply. She might either defend herself in writing, or in person before a committee of noblemen who should go down to Bolton; or she might be heard by counsel, and select himself or any other person to represent her. Till this had been done, Elizabeth said, she could not see her; and she told the Bishop that "those who advised her to abstain from answering except in her own person, however they should seem good servants, did rather betray her to procure her condemnation."

To this point, after all the promises and fair

[1] "Surely I think that this Queen never meant to answer the odious accusations of her adversaries, unless she might be assuredly promised beforehand that your Majesty would end and judge her cause to her honour, according to the persuasion of my Lord Herries' message, or unless that your commissioners and your Majesty would take a short answer for a sufficient answer — that is to say, that the accusations of her adversaries are false, because that she, on the word of a Princess, will say that they are false. If this kind of argument will satisfy your Majesty for a sufficient answer, you may soon, I think, have it; but I think it vain in these causes to look for her answer as standing to her justification formally in probable order and sort, without her assurance aforehand that, however the matter shall fall out, yet the judgment shall fall on her side." — Knollys to Elizabeth, December 26: *MSS. Queen of Scots, Rolls House.*

speeches, the question had been brought round at last. Elizabeth had tempted the Queen of Scots into England and then had imprisoned her. She had brought her to consent to an enquiry, with promises so often repeated that her honour should be in no peril, that even with her past experience the Queen of Scots was forced to believe her; yet the Queen of Scots was entangled again in the meshes, and the fine words had turned out to be as wind. In both cases Elizabeth had not meant to deceive; but a vacillating purpose and shifting humour had been as effective as the most deliberate treachery.

The Bishop did not care to pick his words. He reminded the Queen of the many letters in which she had told his mistress "to have but one string to her bow," to trust to her, and to be safe. She had promised that Murray should not be admitted to her presence; yet she had not only admitted him, but had allowed him to utter words there which no subject should be allowed to use against his Prince. He quoted Trajan for the sanctity of sovereigns; and he said that if she would not restore his mistress as she had bound herself to do, at least she ought in honour to open her prison and let her go where she would.

Elizabeth could only say that she had desired sincerely to make some arrangement between the Queen of Scots and her subjects; "but seeing their unnatural behaviour in accusing her, it was now impossible. She must now pursue the enquiry and punish her accusers, unless their charges were held to be proved." [1]

What more was to be elicited when the great point had been gained of disgracing the Queen of Scots before the English Peers, it was not easy at first sight to

[1] Proceedings Thursday, December 16: Goodall, Vol. II.

perceive, but the intricacies of Elizabeth's purpose were as yet far from unfolded. She said that an arrangement was impossible; but, as will be presently seen, she meant only such an arrangement as should leave the Queen of Scots able to pretend that she had made concessions which she might have refused if she pleased. She did not wish to keep her an unwilling prisoner, to plot and conspire. She dared not challenge the opinion of Europe by passing sentence upon her, nor would she pronounce openly in favour of the responsibility of princes. She wished only to force the Queen of Scots to abandon her defence, to throw herself unreservedly on her own forbearance and agree to terms — the meaning of which, however plausibly disguised, would have been a substantial confession of guilt.

Still detaining the Bishop in London, therefore, she wrote to Knollys to say that, "for avoiding the extremities" which appeared to be impending over her, she advised the Queen of Scots to confirm the abdication which she had made at Lochleven. She might ground it on her weariness of government and on her desire to see her son established on the throne. She might herself remain in England as long as might seem convenient, "and the whole cause wherewith she had been charged would be then committed to perpetual oblivion."[1] She desired Knollys to use his influence to bring her to comply. He might tell her "that, as matters could be proved, she could in no way discharge herself of the murder." If the Regent or the Regent's friends had been parties to it also, their guilt did not excuse hers. It was impossible, without offence to God and conscience, "to bear so far with a murderess as to re-

[1] Elizabeth to Knollys, December 22: Goodall, Vol. II.

store her to her estate." The English Government could not do it, and would not allow another Power to do it; and, if she continued obstinate, "her crime must be notified to the world." The Queen of Scots had publicly laid title to the English Crown, and had never made satisfaction for that wrong. It would be therefore foolish and childish to set her at liberty, and give the opportunity of stirring fresh troubles with her friends abroad. There would be a civil war in Scotland through the Hamiltons, and her child "could have no long continuance" amidst the factions there. All these inconveniences would be remedied by her abdication. The present order would be maintained; the Prince would be brought up in England, and educated with a prospect of succeeding to the English crown.[1]

[1] Minute of a memorial in Cecil's hand, December 22: *Cotton MSS., Calig. C.* 1.

It would seem as if these directions to Knollys were an afterthought, and that at first the Queen had intended to press for an answer. A letter is extant, dated one day before Cecil's minute, from Elizabeth to the Queen of Scots, written as if there were no such underhand purposes at all; the only suspicious feature in it being the compliment to the Bishop of Ross, who was intended to have been the bearer of it. As the Bishop did not go till some days after, the letter was probably never sent; but it is worth preserving, as showing how extremely uncertain Elizabeth was as to how she should proceed.

"Madam (so Elizabeth wrote), — While your cause hath been here treated upon we thought it not needful to write anything thereof unto you, supposing always that your commissioners would thereof advertise as they saw cause. And now since they have broken this conference by refusing to make answer, as they say by your commandment, and for that purpose they return to you; although we think you shall by them perceive the whole proceedings, yet we cannot but let you understand that as we have been very sorry of long time for your mishaps and great troubles, so find we our sorrows now doubled in beholding such things as are produced to prove yourself cause of all the same; and our grief herein is also increased in that we did not think at any time to have seen or heard such matter of so great appearance to charge and condemn you. Nevertheless, both in friendship, nature, and justice, we are minded to cover these matters and stay our judgment, and not gather any sense hereof to your prejudice, be-

If the advice failed to produce its effect, it was hinted that Sir Francis might try what could be done by another removal. At Bolton, under charge of Lord Scrope, the Queen of Scots was still comparatively among her friends. If she was carried deeper into the realm, and kept in closer confinement at Tutbury Castle,[1] her spirit might perhaps be tamed. But Elizabeth would give no commands. She expected Sir Francis, like her other servants, to act on his own responsibility, and to be disavowed if the consequences were inconvenient.

Once already Sir Francis had been made use of in this way. He did not care to be so treated a second time. He was profoundly loyal to Elizabeth. He believed that the underhand policy which she was pursuing with the Queen of Scots was precisely the most dangerous which she could have chosen, and the plain language in which he expressed himself shows that Elizabeth's Ministers did not hesitate to tell her disagreeable truths.

fore we may learn of your direct answer thereunto, according as your commissioners understood our direct meaning to be; and as we trust they will advise you for your honour to agree to make answer, so surely, both as a Prince and near cousin, most earnestly as we may in terms of friendship, we require and charge you not to forbear from answering; and for our part, as we are heartily sorry and dismayed to find such matters of your charge, so shall we be as heartily glad and well contented to hear of sufficient matter for your discharge. Although we doubt not but you are well certified of the diligence and care of your ministers having your commission, yet can we not but especially note unto your good choice of the Bishop of Ross, who hath not only faithfully and warily, but also so carefully and diligently, behaved himself both privately and publicly, as we cannot but in this sort commend him unto you; for in our judgment we think ye have not any that in loyalty and faithfulness can overmatch him; and this we are the bolder to write because we take it the best trial of a good servant to be in adversity, out of which we heartily wish you to be delivered by justification of your innocency, for otherwise no liberty can profit you in sight of the world." — *MSS. Queen of Scots*, December 21, *Rolls House.*

[1] On the Trent in Staffordshire, not far from Burton.

"As touching this Queen's removing," he wrote, "your Majesty and Mr. Secretary have wished it, and every man thinks it necessary; and I am provoked to take the matter in hand without sufficient warrant, as I did at Carlisle. But if I might speak with reverence, your Majesty hath dealt with her removings, both at Carlisle and now again, as though your Majesty would gladly all was well, so that it was nothing long of yourself. And surely your Majesty's forbearing to assist us at Carlisle with your sufficient authority — far contrary to our expectations — hath stricken the hope of maintenance and good backing of me in your service so far from my heart, that I shall never be so hardy as to adventure upon such an enterprise again, without sufficient warrant beforehand for the accomplishment thereof. And this example, added to divers other experiences that I have had and seen since your Majesty's reign, hath made me the more to fear your Majesty's estate if any sharp troubles should happen to arise. Wherewith being disquieted, I was so bold, before the entrance of the great consultation, to advise your Majesty to lay the whole burden of this weighty matter upon your faithful councillors, and to encourage, and maintain and back them, by your Majesty's following of their resolutions, fully and wholly without delay or alteration; for if your Majesty, after your good and faithful councillors have resolved, shall discourage them by staying your assent thereunto until all the passions of your mind be satisfied, then how your faithful servants may be discouraged thereby to stand you at your need it is doubtful, or rather fearful, for me to consider." [1]

How it fared with the other part of Knollys' in-

[1] Knollys to Elizabeth, December 26: *MSS. Queen of Scots.*

structions will be presently seen. Meanwhile the immediate cause of the Queen of Scots formed but a part of Elizabeth's perplexities; and events in the Netherlands, events in the English Channel, events far away in the Gulf of Mexico, combined to agitate yet further the passions of which Knollys spoke. As if to give point to his warnings of danger, a series of reverses had driven Condé back from the Loire; and the Prince of Orange in the Netherlands had fared scarcely better than his brother. He had taken his thirty thousand Germans over the Meuse, expecting that the country would rise on the Spaniards, and that Alva would be forced into a battle. The country lay quiet till Alva had been first defeated; and Alva, knowing that time would fight for him, and that the Prince's scanty finances would soon be exhausted, declined to fight except at certain advantage. The Germans, after a few weeks of ineffectual marching, began to mutiny and desert. The Prince had to retreat, without even the honour of a lost engagement; and feeling that the Papists were his real enemies, and that it mattered little to which nation they belonged, he thought at first of crossing France and joining Condé. But his men refused to follow him, and at the time of the conference at Westminster he was falling back into Nassau, bankrupt, it seemed, in fortune and reputation. On land all was going ill; on another element, however, the Protestants found better fortune. The ocean gave a home to those whom the land had rejected, and Rochelle became the rendezvous of the French, Dutch, and English privateering crusaders, who in their light, swift cruisers hovered round the mouth of narrow seas, and preyed on Catholic commerce under whatever flag it sailed. With these lawless heroes

Elizabeth's Government had a natural affinity. Most of the vessels had been built in English yards or were manned by English subjects. They were carrying on war at no cost to the Crown against the general enemy of the Reformation, and even Cecil was reconciled at last to men whose marauding doings were covered by the flag of a Protestant prince. Châtillon's mission to London was to persuade Elizabeth, if possible, to renew the alliance of 1562, to forget Havre and its misfortunes, and to use the opportunity once more to recover Calais, or some town which she might hold as security for the restoration of Calais. The temptation was strong, especially when the French Government showed signs of favouring Mary Stuart. Elizabeth talked metaphorically to La Mothe Fénelon of her lion's nature, gentle and soft unless provoked, and then terrible in her anger. Portault, the Prince of Condé's admiral, went and came among the English ports, and sold his prize cargoes in Plymouth market. Admiral Winter, with Elizabeth's own fleet, was preparing for sea, and intended, as was believed, to carry money, powder, and arms to Rochelle.

Elizabeth herself, when La Mothe pressed her closely, of course insisted that she had no such meaning as was imputed to her. She disavowed all interest in Condé; if her subjects showed favour to the pirates, she said that it was without her knowledge and against her orders.

La Mothe reminded her that she herself did not tolerate two religions in England; she ought not to be surprised, therefore, if the French Government followed her example. She said (and her answer was remarkable) that her policy in religious matters had been only to keep the peace; if Catholics and Prot-

estants had been allowed their separate services, they would have been perpetually fighting; and if the Queen Mother had consulted her in the first instance, she would have advised, that as, after all, both parties worshipped the same God, one service or the other should have been prohibited in France. Since the Queen Mother had preferred to attempt toleration, it would have been better if the experiment had lasted longer. She understood the difficulty, however. She had no sympathy with the Huguenots, and she trusted that the defeats which they had sustained would be a lesson everywhere to subjects who took up arms against their Princes.[1]

Yet all this meant nothing, except so far as it was a description of the principles of Elizabeth's own government. Châtillon appeared openly at court. The probability of a war with France was freely talked of, and the desirableness of it was discussed and approved by the Council of Peers who had met at the Hampton Court Conference. The petition of the Prince of Orange found no favour with the Queen. He had pleaded on the ground of a common religion, and the danger to England from the triumph of the Spaniards in the Low Countries. The English nobles did not recognise the identity of religion. They were, most of them, well inclined to Spain, and Orange obtained nothing except some 30,000*l.* raised by subscription for him in the Protestant churches. Against France, on the other hand, there was the old national animosity. The wound of Calais was still fresh and rankling, and however strong might be the feeling of men like Arundel and Norfolk against the Huguenots, their patriotism was not unwilling to submit to an alliance

[1] La Mothe Fénelon au Roy, December 5 and 10: *Dépêches*, Vol. I.

with them if the lost jewel could be replaced in the English tiara.

Such was the general sentiment of the Council, and it was probably shared by Elizabeth. Cecil only thought differently. Cecil alone of the Queen's advisers comprehended the true bearing of European politics. To him the recovery of a single poor town was as nothing compared to the stake for which the great game was being played; and Cecil saw that the real enemy of England was not France, but Spain. France, rent in half by the civil war, must either tolerate the Reformers, or exhaust her strength in holding them down. Spain erect, united, Catholic in heart and intellect, and blazing with religious enthusiasm — Spain, if she conquered Protestantism in the Netherlands, would soon, as Orange said, conquer it in England also.

It was idle to say this to the Peers at Hampton Court, for half of them desired nothing better than Philip's successful interference. Cecil therefore contented himself with throwing obstacles in the way of the quarrel with France. There was not sufficient provocation, he said. They were unprepared. If they began with France they might have Spain on their hands also before all was over. Condé might be assisted indirectly, but open war was unnecessary and dangerous. Leicester and Pembroke went with him, and they took the Queen along with them. She told La Mothe Fénelon that as long as the question was merely between subject and sovereign she would not interfere; if the Catholic Powers entered into the long-talked-of league against herself, then, but only then, she would make a counter-league and fight out the quarrel.[1]

[1] La Mothe Fénelon au Roy, December 28: *Dépêches*, Vol. I.

As regarded Spain, and as a means of at least indirectly helping Orange, Cecil was preparing for an act of desperate audacity, to which, by some unknown means, he had obtained Elizabeth's warrant. The story turns to the Spanish Main.

It will be remembered that Philip's Government, on hearing that Sir John Hawkins was preparing on a large scale for a third voyage to the West Indies, had given formal notice to Elizabeth that unless these buccaneering expeditions were prohibited, serious consequences would follow. Sir John had been sent for by the Council: he had been reprimanded, enjoined to respect the laws which closed the ports of the Spanish Colonies against unlicensed traders, and De Silva was told that Philip should have no further ground for complaint. Elizabeth, however, who had lent Hawkins ships of her own, and thus was interested in the adventure, interfered reluctantly. The slave trade was so profitable, that on the last voyage she had realised sixty per cent. on the capital which she and her Council had risked upon it. Hawkins persuaded her that he would not only himself be ruined if he was prevented from sailing, but that the crews whom he had engaged, if he turned them adrift, would be "driven to misery," and "be ready to commit any folly." He promised that "he would give no offence to the least of her Highness's allies and friends." "The voyage which he pretended was to lade negroes in Guinea, and sell them in the West Indies, in truck of gold, pearls, and emeralds, whereof he doubted not but to bring home great abundance, to the contentation of her Highness and the benefit of the whole realm."[1]

[1] Sir John Hawkins to Elizabeth, September 15, 1567: *Domestic MSS. Rolls House.*

The sale of negroes in the West Indies being the very thing which Philip was most desirous to prevent, it was not very clear how it could be prosecuted as innocently as Hawkins pretended. His arguments however, or the greatness of the temptation, satisfied Elizabeth's scruples. In October, 1567, he sailed from Plymouth with five well-appointed vessels, one of them the Queen's ship "Jesus," which carried his flag on his first voyage; and among those who went with him was the after-hero of English history, his young "kinsman," Francis Drake.

The voyage, though commencing with a storm, was prosperous beyond the most glittering hopes which he had formed upon his past successes. Hawkins ran down to Sierra Leone, where he formed an alliance with a tribe which were at war with a neighbouring tribe. He sacked a densely peopled town, and was rewarded with as many prisoners as he could stow; and by the spring of the following year he was among the Spanish settlements, doing a business which realised the wildest dreams of Eldorado. Where the ports were open he found an easy market; where the governor attempted to keep him out he forced an entrance as usual, and found the planters no less willing to deal with him. Stray ships were stopped and plundered where their cargoes were worth the seizure. And thus before the summer was over he had amassed, in bars of gold and silver, in precious stones and other commodities, property worth more than a million pounds.[1] Before he could sail for England the ships' bottoms required a scouring. Their spars had suffered in a gale of wind in the Gulf of Mexico. At the be-

[1] Hawkins rates the ships and freight together as worth before his disaster 1,800,000*l.* Hakluyt, Vol. III. p. 620.

ginning of September, therefore, he put into St. Jean de Luz to refit, take in water and provisions, and dispose of four hundred negroes, "the best and choicest" which he had, that still remained unsold.[1]

The halcyon weather was about to close in a tornado. The small harbour of St. Jean de Luz is formed by a natural break-water which lies across the mouth of the bay. The day after the English ships entered, a Spanish fleet appeared outside, consisting of thirteen men of war, the smallest of them larger than the "Jesus;" a force from which in the open sea escape might have been possible, but with which, under the fairest conditions, it would have been madness to have sought an engagement. If Hawkins could have made up his mind to dispute the entrance of a Spanish admiral into one of his own harbours, he believed that he could have saved himself, for the channel was narrow, and the enemy's numbers would give him no advantage. But neither his own nor Elizabeth's ingenuity could have invented a pretext for an act of such desperate insolence. At best he would be blockaded, and sooner or later would have to run. The Spaniards passed in and anchored close on board the Englishmen. For three days there was an interchange of ambiguous courtesies. On the fourth Philip's admiral had satisfied himself of Hawkins' identity. He had been especially sent upon this coast to look for him; and by the laws of nations he was unquestionably justified in treating the English commander as a pirate. The form of calling on him to surrender was dispensed with. The name of Hawkins was so terrible that the Spaniards dared not give him warning that he was to

[1] Process and examination of Hawkins' voyage: *Domestic MSS.* Vol. LIII., *Rolls House.*

be attacked. They took possession of the mole in the dark, and mounted batteries upon it; and then from shore and sea every gun which could be brought to bear opened upon the "Jesus" and her comrades. Taken by surprise, for many of their boats' crews were in the town, the English fought so desperately that two of the largest of the Spanish ships were sunk, and another set on fire. The men on shore forced their way on board to their companions; and, notwithstanding the tremendous odds, the result of the action still seemed uncertain, when the Spaniards sent down two fire-ships, and then Hawkins saw that all was over, and that vessels and treasures were lost. The only hope now was to save the men. The survivors of them were crowded on board two small tenders, one of fifty tons, the other rather larger, and leaving the "Jesus" and the other ships, the gold and silver bars, the negroes, and their other spoils to burn or sink, they crawled out under the fire of the mole and gained the open sea. There their position scarcely seemed less desperate. They were short of food and water. Their vessels had suffered heavily under the fire; they were choked up with men, and there was not a harbour west of the Atlantic where they could venture to run; a hundred seamen volunteered to take their chance on shore some leagues distant down the coast, and after wandering miserably in the woods for a few days, they were taken and carried as prisoners to Mexico. Hawkins and Drake, and the rest, made sail for the English Channel, which in due time, in torn and wretched plight, they contrived to reach, and where a singular state of things was awaiting their arrival.

The Duke of Alva had expected that the wars of the Netherlands would pay their own expenses. He

had promised Philip that a stream of gold a yard deep should flow into the Spanish treasury from the confiscated hoards of the heretic traders. He had been less successful as a financier than as a soldier. The pay of his army was many months in arrear. The troops had won victories, but they had gained no plunder by them, and were fast breaking into dangerous mutiny. So pressing were the Duke's difficulties that Philip had been obliged to borrow half a million of money from two banking houses at Genoa. The bankers had establishments in the Netherlands, but the bullion there had been driven away or buried, and the contract with Philip required them to deliver the loan in silver dollars at Antwerp. It was therefore sent round by sea, the chests, for greater safety, being divided among many vessels. Two or three ran the gauntlet of the Channel in safety, but information of the prize got wind among the privateers. The precious fleet had been chased, scattered, and driven into the English harbours, and the treasure for which Alva was so impatiently waiting was hiding in Foy, Plymouth, and Southampton. The basking sharks were prowling outside on the watch to seize them if they ventured to sail, and, as they feared, were not at all unlikely to snatch them as they lay at anchor. Francesco Diaz, the captain of one of these treasure ships, when he entered Plymouth harbour found thirteen French cruisers there, with half-a-dozen English consorts, carrying the flag of the Prince of Condé; they were taking turns, night and day, to scour the Channel; their commissions professed to empower them, in the service of God, to seize any Catholic ship that they came across, to whatever nation it belonged.[1] They brought in

[1] "Algunos de los piratas Ingleses traen una carta de marca del Cardinal

their prizes under the eyes of Diaz, and sold them without interference from the authorities, the mayor being one of the most forward purchasers. He began to fear that he was in the wolf's den, from which there was no escape, and where he would be devoured if he remained.[1] And he had a special ground for uneasiness. Sir John Hawkins had not yet returned, nor any news of him; but the disaster at St. Jean de Luz was known on board the Spanish ships; and as the most mischievous of the cruisers at Plymouth were owned by William Hawkins, Sir John's brother,[2] the Spaniards feared that unless they could extricate themselves before the truth came out, short work would be made with them. They knew that he might be looked for any day. To put Plymouth in good humour therefore, one of them, who professed to have just returned from the Indies, pretended to bring the information for which the town was longing, and dressed his tale to flatter the national pride and gratify the avarice of Hawkins' friends and family. Sir John had been in the enchanted garden of Aladdin, and had loaded himself with gold and jewels. He had taken a ship with 800,000 ducats; he had sacked a town, and had taken infinite heaps of pearls and jewels there. A Spanish fleet, forty-four sail of them, had passed a harbour where he was dressing his ships. The captains had held a council of war to consider the prudence of attacking him, but the Admiral had said, "For the ships

Chatillon que reside en Londres, y en nombre del Principe de Conde, y diciendo que por servicio de Dios daba licencia para que robasen y persiquiesen todos los navios y gente de los Catholicos de cualquier nacion que fuesen. Esto oi decir á un mercadox Español que habia leido una de las dichas cartas de marca." — Relacion qui hace Francesco Diaz: *MS. Simancas.*

[1] Ibid. [2] Ibid.

that be in the harbour I will not deal with them, for they being monstrous ships, will sink some of us and put us to the worse: wherefore let us depart on our voyage; and so they did." "The worst boy in those ships might be a captain for riches," and the Spaniard "wished to God he had been one of them."[1]

The pleasant story was pleasantly received. It might have answered its end had there been time for it to work, but the wind which brought the fable brought the truth behind it. Two days later William Hawkins sent to Cecil the news of the real catastrophe. Elizabeth had lost her venture, but if she was bold she might recoup herself at Philip's cost. Philip, as the story was now told, had robbed the subjects of her Majesty; "her Majesty might now make stay of King Philip's treasure till recompense was made;" or, "if it did not please her Majesty to meddle in the matter, although she herself was the greatest loser therein," yet Hawkins hoped "her Majesty would give her subjects leave to meddle with it." "In that way he would not only have recompense to the uttermost, doing as good service as could be desired with little cost," but "he looked also to please God therein, for the Spaniards were God's enemies."[2]

A little later a small tattered bark sailed slowly into Plymouth. Francis Drake, who landed from her, rode post to London with details, and William Hawkins sent by his hand a schedule of the property destroyed, and requested leave to act on the commission which he held from the Prince of Condé.

It is difficult to see by what reasoning these western sailors persuaded themselves that wrong had been done

[1] Report of Hawkins' voyage, December 2, 1568: *Domestic MSS.*
[2] William Hawkins to Cecil, December 3: *MS.* Ibid.

by the Spaniards, unless it were — which was very much the fact — that they believed that the universe was theirs to do what they pleased with. Cecil, probably, was not under this impression; but it was an opportunity at a critical moment to assist the Prince of Orange, to cripple Alva, to punish Philip for the expulsion of Doctor Man, and, more than all, to end Elizabeth's vacillations, and force her into the bold position which, as it seemed to him, her safety required her to assume. The loss of money touched her to the quick. The profit which she had so nearly gained in Sir John's infamous trade she regarded as something of her own of which she had been robbed. She consulted the Bishop of Salisbury, and the excellent Jewel confirmed the theory that God would be pleased to see the Spaniards plundered;[1] and while an intimation was sent to Orange that a diversion would be made in his favour, Cecil was allowed to consult the vice-admiral of the West, Sir Arthur Champernowne, as to the most convenient means of effecting the seizure. Sir Arthur, in his younger days, had been concerned with Sir Peter Carew in the western rising against Queen Mary: he was now in office under Elizabeth, and using his authority for something more than connivance at the irregular doings of the privateers. Three ships of his own, which he had fitted out at Dartmouth, were cruising with Portault, under command of his son Henry. At that very moment Portault was offering him 60,000 ducats for his private advantage if he would shut his eyes while the treasure was carried off for

1 "Supe entretanto la exortacion que el Obispo de Sareberi, grande herege, habia hecho á esta Reyna para que usurpase este dinero, y como habia despachado al Conde Palatino al Doctor Junio su mismo agente, y dado tambien aviso al Principe de Orange." — Guerau de Espes á su Magd. de primero de Enero, 1569: *MS. Simancas.*

Condé. But Sir Arthur's patriotism had been stronger than his cupidity. "Such a mass of money he conceived to be most fit for the Queen's Majesty, and not to be enterprised by a subject." He placed a guard over the Spanish vessels, insisting that he could not expose the Queen's Government to the reproach which would fall upon it if her good allies, King Philip's subjects, suffered wrong in English waters; and he replied to Cecil's letter in language which showed some insight into his own sovereign's character. He admitted that there was no sufficient pretext for open violence. The vessels lay in a position where they could not be cut out by the privateers "without slandering of the State." Yet there were ways in which the thing might be done, and yet no fault attach to the Government. "If it shall seem good to your Honour," Sir Arthur wrote, "that I, with others, shall give the attempt for the recovery of the treasure to her Majesty's use, which cannot be without blood, I will not only take it in hand to be brought to good effect, but also receive the blame thereof unto myself, to the end so great a commodity should redound to her Grace; hoping that after bitter storms of her displeasure showed at the beginning to colour the fact, I shall find the calm of her favour in such sort, as I am most willing to hazard myself to serve her Majesty. Great pity it were that such a booty should escape her Grace; and surely I am of that mind that anything taken from that wicked nation is both necessary and profitable to our commonweal."[1] The letter ended with the vice-admiral's offer of "his boy Henry" to be the instrument of the exploit.

Sir Arthur, doubtless, would have made clean

[1] Sir Arthur Champernowne to Cecil, December 19: *Domestic MSS.*

work; but unfortunately not more than half the treasure was in the western harbours. The rest was in Southampton water; and the Court, if they took any of it, were determined to take all. While Cecil was hesitating what to do, two English privateers, sailing under the flag of the Prince of Orange,[1] brought into Plymouth some Spanish and Portuguese prizes said to be worth 200,000 ducats. Don Guerau sent in a complaint to Elizabeth, and at the same time mentioned the money, and expressed alarm for its safety. Elizabeth, who perhaps had not yet made up her mind to take it, offered, with many apologies for the insecurity of the seas, either to bring it over land to London and transport it thence to Alva, or to send some of her own ships to convoy it through the Channel. The ambassador, who had heard rumours of intended mischief, accepted the second alternative as the least dangerous. He thanked the Queen for her friendliness, and had dismissed the subject from his mind, when he heard that at Foy, Plymouth, and Southampton the treasure had been simultaneously seized, brought on shore, and placed under guard, the crews arrested, and the ships detained.[2] Sending a messenger on the in-

[1] Orange as well as Condé had issued letters of marque.

[2] Francesco Diaz thus describes the scene at Plymouth: "The vice-admiral of those ports," he says, "sent for us, and insisted that as long as the treasure was on board he could not be answerable for its safety; and that for our own sakes, as well as our master's it must be unloaded at the ports. We declined to consent; so he left us under guard at his own house, went to our ships with his people, and took from the hold sixty-four chests of silver, which he deposited in the town-hall. A few days after he searched in like manner all the Spanish and Flemish ships in the harbour, broke up the cargoes, and took out whatever he pleased, small and great. He illused our sailors, beating some, throwing others into the sea, and then distributed us all in different prisons, saying that we should be held to exchange for the Englishmen who had been taken by the Spaniards. I asked him why he used such cruelty with your Majesty's subjects, when Spain and England were at peace? He told me I ought to thank him for being more

stant to Alva, Don Guerau went to the Queen for an explanation. A week passed before he could be admitted to an audience. Elizabeth then told him not to be alarmed. The audacity of the pirates had obliged her to take the money under her own charge, but that it would be kept in perfect safety. Don Guerau in the same tone acknowledged her kindness, but he said that the Duke of Alva was in urgent need of it, and he begged that it might be forwarded without delay.

Elizabeth played her part awkwardly. It would have been better if she had said at first what she meant to say eventually. It had been ascertained that the money, though taken up by Philip, was the property of the Genoese till it was delivered at Antwerp. After hesitating a few minutes, she said that she had herself occasion for a loan. The agents of the owners in London were willing that she should keep it. Don Guerau, with an astonishment which was probably unfeigned, declared that the money had been sent by his master to pay his troops. He would not believe that Elizabeth was serious. Elizabeth, however, would give him no other answer. The Genoese, she said, might lend it where they pleased. If they preferred her to the King of Spain, he had no right to complain.

Don Guerau, as brave as he was haughty, did not waste his time in remonstrances. The seizure, so far as he could learn, originated in the determination of Cecil to support the Prince of Orange. Half the

merciful than the Duke of Alva, who had cut off the heads of divers Englishmen in Flanders. Some of our party he sent up to London, after taking from us all the money we possessed. They were thrust into a prison there where many died of hunger and disease; while heretics were sent to preach the heathen gospel to them." — Relacion que hace Francesco Diaz. *MS Simancas.*

money was to be sent to the Prince, to enable him to raise another army; the rest was to be spent in doubling the English fleet.[1] No time was to be lost. The English trade with Flanders, though diminished, was still the main source of the wealth of the London merchants. Don Guerau drew up a statement of the circumstances in Spanish and English, which he circulated in the City, and sent his secretary in a swift boat across the Channel to urge Alva to immediate reprisals. London, he hoped, would mutiny and force the Queen to yield.

The Duke, to whom the loss of the money was a serious inconvenience, required no urging; by an order, instant and summary, every English resident in the Low Countries was arrested, every English ship was seized, the cargoes sequestered and the crews imprisoned; couriers sped across France to Philip that the embargo might be extended to Spain and Italy, before the English could take the alarm and fly.

It seems that Elizabeth had expected that her excuse would be accepted, that she could accomplish safely by a trick what she would not venture to attempt by force. When she found that she had failed, her heart for a moment sank.[2] The catastrophe so long threatened had come, and Spain, the old ally, whose connection with England had outlived, so far, the shock of the Reformation, was an enemy at last. But it was too late to retire. A retaliatory edict was issued. All Spaniards and Neth- January.

[1] Guerau de Espes to Philip, December 27 and January 1; De Espes to the Duke of Alva, December 30: *MS. Simancas.* At Southampton as well as Plymouth there was indiscriminate plunder: some boxes of sweetmeats were taken, which the Duchess of Alva had sent to her husband.

[2] "A la Reyna le tomáron unas grandes cascas quando le supó." — Don Guerau to Philip, January 8: *MS. Simancas.*

erlanders in England found themselves prisoners. The order of arrest was extended to the Channel, where every vessel owned by a subject of Philip was declared liable to seizure. At eleven o'clock on a January night, the mayor and aldermen went round to the merchants' houses, sealed up their warehouses, and carried them off from their beds to the Fleet. Frightened families of Spaniards crowded for protection to the Ambassador. The ports were closed; Don Guerau's own letters were intercepted, and he himself, to prepare for the worst, burnt such of his papers as were dangerous.

The immediate advantage in the arrest was largely on the side of England; even without Philip's silver, the value of the Spanish and Flemish goods detained far exceeded what had been seized by Alva. Yet the manner in which the breach had been brought about was not creditable. The suppression of trade created general discontent in London, and an affront so open to an ally could not but seem objectionable to the old English Peers, who looked on Orange as a rebel, and cared little for the heretics whom Alva was burning and beheading. The new question which had arisen divided parties in the same line on which they had been already separated by the cause of the Queen of Scots. The prospect of a war with Spain kindled the hopes of the Catholics, and made her friends more anxious than ever to secure Philip's interest for her. The Bishop of Ross told Don Guerau that all the noblemen who were interested for his mistress would stand by Spain in the present quarrel. Mary Stuart herself, so sanguine was she, sent him word that if the King of Spain would help her, she would in three months be Queen of England, and mass should be

said in every church throughout the island;[1] and stealthy language of the same kind began to be used to him by English Peers themselves. Don Guerau's instructions left him unable to enter into any engagements in Mary Stuart's interests; but under the new circumstances he held himself at liberty to hear what her friends had to say; and the Earl of Northumberland came one night to his house, and had a long conversation with him. Unfortunately for the Catholic cause, an awkward quarrel had arisen among the noblemen most inclined to it. Lord Dacres of Naworth, the richest and most powerful of the northern Peers, had died without a male heir, leaving two daughters. His widow had married the Duke of Norfolk, and died also a few months later, leaving him the guardian of her children. According to ancient usage, the Dacres estate would have gone with the title to the late lord's brother, Leonard. But Norfolk, not for his wards' sake entirely, but to secure the splendid inheritance in his own family, had betrothed the girls to his two sons, and claimed the property for them against their uncle. The suit was pending at this particular moment. Leonard Dacres — Leonard of the crooked back as he was called — had assumed the title and taken possession of Naworth Castle. He was a strong Catholic, and his cause was warmly supported by the Earls of Northumberland, Cumberland, and many of the gentry of the northern shires. There was a general unwillingness to see another great family perish out of the already attenuated ranks of the English Peerage. The

1 "La Reyna de Escocia dixó al criado mio, direis al Embajador que si su amo me quiere socorrer, antes de tres meses yo seré Reyna de Inglaterra y la misa se celebrará por toda ella." — Don Guerau to Philip, January 8 *MS. Simancas.*

Queen was holding the balance between the claimants, and the decision seemed likely to rest rather with her than with the judges. With the prospect of a revolution which would transfer the crown to Mary Stuart, the Northern Lords had been throughout unfavourable to the scheme for marrying her to the Duke of Norfolk, who was not a Catholic, and, too powerful already, would then carry all before him. They had communicated their views to the Queen of Scots herself, but she was anxious at any rate to use Norfolk's help till she was extricated from her difficulties, and begged them to be silent.[1]

The injunction, however, did not extend to the Spanish Ambassador. Northumberland was ambitious for her, and he asked Don Guerau whether Philip himself might not, in the interests of the Church, be induced to take her. The Ambassador, who was in bed, said nothing, but "wagged his head on the pillow as though he meant it could not be."[2] If the Queen of Scots wished it, he said afterwards, that Don John of Austria might not be so impossible, but for the present, union among the Catholics was of the first importance. They should agree together on some common course, and other questions could be settled afterwards. At all events it was agreed that the Ambassador should urge Philip to take up the Queen of Scots' cause, while the Catholic nobles in the Council and

[1] "Some liked her marriage one way and some another way. The Earl of Westmoreland and some of the Nortons liked well the match with the Duke. My cousin Dacres and I wished her bestowed on a sound Catholic, even if it was some foreign Prince; but this was kept secret among ourselves, for that the Queen sent to me, and I think to some others too, to will us to seem contented and to like the match." — Confession of the Earl of Northumberland: *Border MSS., Rolls House.*

[2] Ibid.

out of it should draw together, form a party with the more moderate Protestants, and either force the Queen to change her policy, or place themselves at Philip's disposition.[1]

Don Guerau was now satisfied that Cecil had made a false move, and that he at least could be overthrown. He suggested to La Mothe Fénelon that they two together should demand Cecil's dismissal of the Queen, as the enemy of the quiet of Christendom. If she refused, France might unite with Spain in closing the harbours of the Continent against the English. The Catholics outnumbered the Protestants, and that one step, bringing ruin as it would on half the families in the country, would ensure a revolution.[2] He wrote to Philip to the same purpose, advising him to use his influence with the Court of Paris. If Europe refused to trade with England till England was reconciled to Rome, Cecil would be overthrown, and without Cecil the Queen would do as the Catholics wished. "It is Cecil," he said, "who rules all now, and prompts the villain tricks which trouble us. No words can tell the depth of Cecil's heresy; and as he sees the Protestant cause going to the ground he grows more furious as if possessed by ten thousand fiends." And again: — "The chief of the Council is Cecil, a man of low extraction, cunning, false, malicious, full of all deceit, and so true an Englishman that he thinks all the sovereigns of Christendom cannot conquer this island. He it is who governs all. He is diligent, acute, and never keeps faith or word. He thinks we are none of

[1] The account of the interview given by Don Guerau to Philip agrees closely with Northumberland's own confession. Don Guerau only did not mention to his master the marriage which the Earl had projected for him.

[2] La Mothe à la Reyne-mère, December 28: *Dépêches*, Vol. I.

us a match for him; and so far he has succeeded, but now he is verging to his fall." [1]

For the present, indeed, Cecil's star was still dominant. Don Guerau's house had been watched, and his midnight visitors had been seen though not identified. A few days after the general arrest the Ambassador was ordered to consider himself a prisoner within his own walls, and to think himself happy that he was treated with more respect than his master had treated Doctor Man. A guard was placed at his gates, and a brother of Sir Francis Knollys was placed in charge of him. But Don Guerau believed that he could afford to despise affronts of this kind, and that heresy had made Cecil blind. In writing to a friend he described himself as a prisoner to Queen Oriana, but he professed to make a jest of his enchantment, and he sent the note unsealed that the guard might see the contempt which he felt for his gaolers.[2]

The Council were provoked at his impertinence, and united in telling him "that such vain fancies and poesies were unbecoming. He would be treated as a seditious, insolent person, unfit to be admitted into the presence of a Prince, and he should serve as an example to all others who should dare to attempt the like." [3]

So far Arundel and Norfolk went along with Cecil and Bacon; but in public policy wide differences were

[1] Relacion dada por Don Guerau de Espes.

[2] "Do not be surprised to hear that I am arrested. In this island there are the enchantments of Amadis. Arcelaus lives — but I am well and in health, and though I am a prisoner to Oriana, I fancy we shall not need an Urganda to make it all end in comedy."

Knollys, enlosing the note to Cecil, says: —

"By this you may see his boldness, his devotion, his stomach. We watch the fox with care and diligence; but his berry is large, and on every part full of starting holes — our nets be slender and weak, and I doubt not you see the peril." — *Spanish MSS., Rolls House.*

[3] Reply of the Council to Don Guerau, January 14: *Spanish MSS.*

opening, and Don Guerau was not without reason for his confidence. Cecil knowing that the Spanish Government was still too much embarrassed with the Netherlands to go to war with England, except at the last extremity, but knowing also that if the Protestants on the Continent were crushed, England's turn must inevitably follow, was not inclined to sit still till the enemy was at the gates. He desired to show the struggling nations that England was not afraid of the giant who was trampling on them; to assist them as far as possible short of openly taking part in the quarrel, and by committing the Queen to their cause, determine her also to a more consistent course with the growing difficulties at home. But the old-fashioned statesmen were now decidedly against him. The Peers and even the Council were split in factions. Catholics, semi-Catholics, Anglicans, moderates differed among themselves, but were all afraid of Cecil and eager to turn to account the present opportunity. Representations were made to Elizabeth that the money must be given up. The Duke of Norfolk, not contented with remonstrating with Elizabeth, expressed his disapproval of the seizure to Don Guerau himself. The ferment was so great, both at the Court and in the City, that the Queen to quiet it issued a not very honest proclamation, laying the blame of the quarrel on Spain.

The treasure-ships, she said, had been driven by pirates into English harbours, and she had taken charge of the money at the Spanish Ambassador's request. She had then discovered that it did not belong to the King of Spain, but was the property of "certain merchants." "She was considering whether, being thrust as it were into her hands, she might not

herself borrow some part of it, when, at the first move and without waiting for an explanation, the Duke of Alva had laid violent hands on the English ships and cargoes in the Netherlands, and had so forced her to retaliate."[1]

The effect which this new element of discord would produce on the process of the Queen of Scots was at first uncertain. Either, as Cecil hoped, the sudden boldness towards Spain would be the commencement of a firmer policy, or it might be that with the prospect of war upon her hands, the Queen would still persist in temporising. For some days previous to the arrest it had seemed that Cecil would have his way. The Duke of Norfolk, who was opposed to him on foreign policy, appeared to go with him about Mary Stuart; either because he was playing a deep game, or because he was aware of the objections of Northumberland and other of the Catholics to his marriage with her.

Sir Francis Knollys had laid before her Elizabeth's advice that she should abdicate, and a letter from the Bishop of Ross showed that he had ceased to hope, and that she must choose between compliance and disgrace. In a private interview with Cecil, Leicester, and Norfolk, the Bishop found "that judgment was almost confirmed in favour of her adversaries." He had argued and prayed, "but nothing altered them." "The Duke of Norfolk was sorest of the three." The disdain of the King, the advancing of Bothwell, the conspiracy of the murder, all seemed to be so distinctly proved, that unless the Queen of Scots would either reply through her commissioners, or submit without qualification, the evidence against her would

[1] Royal Proclamation, January 6: *Domestic MSS.*

be published and the enquiry end in her formal condemnation.[1]

The Queen of Scots herself had been equally despondent. She had borne up at first against Knollys with all her pride and firmness; she stood upon her rights; she said that she would live and die a Queen; she would not degrade herself by answering to her subjects' accusations.

"Finding her persist in her old humour," Knollys told her he was not surprised that she would not answer. "He thought her the wiser woman, because it passed his capacity to see how by just defence she could disburden herself of the crimes that were laid against her." She said she could defend herself if she pleased; Knollys told her that she had better do it, then, for if she refused "she would provoke the Queen his mistress to take her as condemned, and to publish the same to her utter disgrace and infamy."

She still "answered stoutly;" "she said she would make all princes know how evil she was handled; she had come on trust into England; she could not believe the Queen would condemn her, hearing her adversaries and not hearing her."

But Knollys made her understand that she was not refused a hearing when she could be heard by counsel, or heard in private by a commission. After her injurious "claiming and making title to the crown," she had nothing to complain of in her treatment. She must meet the charges against her in detail, and really disprove them, or else she must submit. "By courtesy and discreet behaviour she might yet provoke the Queen to save her honour, and cause the accusations

[1] The Bishop of Ross to John Fitzwilliam, December 25: *MSS. Queen of Scots, Rolls House.*

and writings that were to be showed against her to be committed to oblivion." [1]

She said that if she submitted, it would be construed into a confession that she was guilty. She was afraid of being "entrapped and allured." [2] She consulted Scrope, but Scrope gave her the same advice; and both to him and Knollys it appeared, that if she could be assured that her letters would not be published, and if the Bishop of Ross, when he came down to her, used the same language as Knollys had used, she would give way. All, however, depended upon Elizabeth's firmness. The Queen of Scots would hold out "as long as one foot of hope was left to her. She was persuaded that God had given Elizabeth such temperature of affection that she would never disgrace her, however she should refuse to yield to conformity;" and Knollys had the courage to repeat to the Queen, that "although her Majesty's judgment must needs be ruled by such affections and passions of her mind as happened to have dominion over her," in her actions she would do wisely to accept "the resolutions digested by the deliberate consultation of her most faithful councillors." [3]

[1] Sir F. Knollys to Elizabeth, December 26: *MSS. Queen of Scots.*

[2] Ibid.

[3] Knollys to Elizabeth, January 1: Burghley *Papers*, Vol. I.; and again to Cecil, December 31, Knollys writes: —

"This Queen does not seem to my Lord Scrope nor me greatly to mislike our advice for her yielding in this matter, but she depends much upon the coming of the Bishop of Ross, and she mistrusts to be allured and not to be plainly dealt withal for the saving of her honour. Whatever the Bishop of Ross shall persuade her, if her Majesty would handle this matter stoutly and roundly, I think verily she would yield upon hope or rather upon assurance that her Majesty would save her honour and use her favourably. But if the Bishop of Ross and the rest of her commissioners shall find her Majesty to be tender, and shrinking either to deal straightly with her until she do yield, or to maintain my Lord of Murray's government throughly, then surely I look not for her yielding." — *Cotton MSS., Calig. C.* 1.

Unfortunately, at the moment when it was necessary to act, and when her constitutional irresolution made a decision, as usual, so difficult, Elizabeth's "passions and affections" were irritated by a ridiculous accident. She was on the point of yielding to Cecil, and of assuming an attitude more becoming in a Protestant sovereign, — a part of this bolder policy would have been an open declaration in favour of the Earl of Murray, — when a Protestant bishop used the opportunity to offend her on the point where she was most sensitive. Marriage, under all forms, was disagreeable to her; the marriage of the clergy was detestable; the marriage, and especially the re-marriage of her prelates, approached incest. Dr. Coxe, the Bishop of Ely, a grey-haired old gentleman — one of the patriarchs of the Reformation — had been left a widower, and at his age he might, with no great difficulty, have remained in that condition. But it could not be. He explained his difficulty to Cecil with ludicrous gravity. He said that he wished "to spend the remainder of his life without offence to God. The Queen's displeasure was death to him, but the displeasure of the Almighty was more to be dreaded. The Almighty had left him without one special gift, and placed him in the number of those who could not receive the saying of Christ. He was between Scylla and Charybdis; but it was more dreadful to fall into the hands of the living God;" and a second wife was a necessity.[1]

The incontinence of the bishop came opportunely to the help of the Queen of Scots. Either this flagrant

[1] "Me etiam senem suo dono destituit, et in illorum me vult esse numero qui non capiunt verbum hoc — ut ait Christus Dominus noster." — The Bishop of Ely to Cecil, December 29: *Domestic MSS.*

illustration of the tendencies of Protestantism, or the Spanish difficulty, or her own incurable vacillation, destroyed at the last moment Elizabeth's almost completed purpose. She sent down the Bishop of Ross to Bolton, apparently to confirm the message sent through Sir Francis Knollys; but at her parting interview she told him pointedly that, "come what would, his mistress should be a Queen still;" and "by speech, gesture, or countenance" she made him understand that he need not be alarmed — she meant to keep her promises and "deal favourably" with the Queen of Scots after all. Satisfied now that all was well, the Bishop flew to Bolton. He carried with him the happy news that the Council was in confusion, that England was on the eve of a war with Spain, and that a Catholic revolution was immediately impending. He had seen the Spanish Ambassador; he carried letters or brought messages from the Earl of Northumberland; and at once from the edge of despondency Mary Stuart sprang back into energy and life. She was again the sovereign princess, with all her rights and all her pride. She sent word, as has been seen, to Don Guerau that with Philip's help she would in three months be Queen of England. She saw herself in imagination pass with a spring from her prison to the first place in Catholic Europe, and protected by Elizabeth from the only blow which she feared.

She wrote a letter to her friends in Scotland, to lash them into fury preparatory to the expected insurrection. She described herself as betrayed, tricked, oppressed. The Earl of Murray had compounded with Elizabeth to betray the Prince and admit English garrisons into Edinburgh and Stirling. Scotland was to be held in fee of the English crown, and its ancient

independence destroyed. It was said that the Prince was to be Elizabeth's successor; but Cecil and Murray had concluded a private arrangement in favour of the children of the Earl of Hertford. Scotland was betrayed — betrayed foully by Murray — "to the ancient and natural enemies of the realm." They had begun with attempting to persuade her "to renounce her crown," but God and good Scotch hearts would provide a remedy. "In the spring they would have help of their friends." Meanwhile, they must proclaim Murray's treason in every corner of the land, and hold the rebels in check till foreign aid should come.[1]

Every word of this letter was false; but the Queen of Scots knew that it would answer its immediate purpose, in stirring Scottish pride; and at the same time, and to prevent further trouble with the casket letters, a party of Yorkshire Catholics, the Nortons of Norton Conyers and others, undertook to intercept Murray on his return to the Border, kill him, and destroy the papers.[2]

Having thus fired Mary Stuart with new hopes, the Bishop went again to London to concert further measures with his friends among the Peers. His first step was characteristic and curious. He was aware that Elizabeth was haunted by the spectre of a possible league between France and Spain and the Papacy. Information calling itself authentic had come late in December, from Paris, that "both France and Spain had within the realm a practice for the alteration of

1 The Queen of Scots to the Abbot of Arbroath, January —.

2 "Murray was to have been murdered on his way back to Scotland from Hampton Court, to be done about Northallerton, by the Nortons, Markinfield, and others." — Confession of the Bishop of Ross: Murdin, p. 52.

religion and the advancement of the Queen of Scots to the crown;" and Walsingham, commenting upon it to Cecil, could but say that "in the divisions reigning in England there was less danger in fearing too much than too little, and that there was nothing more dangerous than security."[1] At once, while his mistress was inventing a lie of one sort, the Bishop of Ross composed another, to work on Elizabeth's fears, to earn her gratitude, and to throw her off her guard by his seeming frankness. He addressed himself to Lord Arundel as the member of the Council through whom it would be most easy to approach her. He said that a secret had been revealed to him, which his affection for Elizabeth forbade him to conceal. He could not be silent when he saw danger approaching her. The King of Spain had directed the Duke of Alva and Don Guerau "to treat and conclude with the Queen of Scots for her marriage in three several ways." The King of Spain offered her either the Archduke Charles or Don John of Austria, or, if she preferred it, himself. On her acceptance of any one of these suitors, he was ready with the whole force of Spain to replace her on her own throne, and to maintain whatever interest she possessed in the throne of England. The Duke of Alva had sent an agent to England to see and consult her. The Bishop said that he had himself seen this man, learned his errand, and undertaken to lay the question before his mistress; but he, for his own part, wished her always to see in Elizabeth her only pillar, and to seek no other friend. Instead of carrying the message to Bolton, therefore, he had desired Arundel to communicate it to the Queen of England. She might use it for her best

[1] Walsingham to Cecil, December 20: *Domestic MSS.*

commodity, and he trusted to her honour that she would not betray him.[1]

In the presence of the real correspondence between Philip and Don Guerau and between Philip and the Duke of Alva, it may be said with certainty that no agent had been sent from Flanders on any such business, that no such instructions had been sent to the Spanish Ambassador, and that in the whole story there was not one particle of truth. Alva was only desirous of postponing or avoiding a war, and Philip had not yet brought himself to regard the Queen of Scots as a person with whom he could entertain any kind of communication. Arundel, however, carried the Bishop's note to Elizabeth; he had, perhaps, assisted in composing it. Coming as it did from the Queen of Scots' confidential minister, it answered its purpose completely in deceiving Elizabeth. It harmonized but too well with her own alarms and with the violent arrests and reprisals; and Lord Arundel followed up the effect which it had manifestly produced by laying in writing before her his own objections to extreme measures against Mary Stuart. She could not but see, he said, the danger to which both she and England were exposed; the neutrality if not the friendship of Scotland was indispensable; and the Queen of Scots, could she make a friend of her, would be a more useful ally than the Earl of Murray. Her Majesty supposed that if she published the Queen of Scots' letters, the Queen of Scots would be "defamed" and disgraced, and there would be no more trouble about her. He thought that she would find herself mistaken. The world would see only on one side a per-

[1] The Bishop of Ross to the Earl of Arundel, January 3, 1569: *MSS. Queen of Scots.*

son claiming the English throne, and on the other, "a party to keep her from her own," blackening her rival's reputation as a means of protecting herself against her pretensions. The Queen of Scots had powerful friends in England whom the publication would mortally offend. The country was already in serious peril, and it would be far better if terms could be arranged with Murray, and the Queen of Scots be allowed to return. "It is not a strong persuasion for one that hath a crown," he added significantly, "to move another to leave her crown for that her subjects will not be ruled. It may be a new doctrine in Scotland, but it is not good to be taught in England." [1]

These last words must have touched Elizabeth to the quick. She had made up her mind a few days before to move straight forward. Arundel's arguments found her already wavering and quickened her retreat. She had first affected to desire nothing but a compromise. By insisting on the production of the letters she had done her best to make a compromise impossible, while she had made an enemy of Mary Stuart forever. Now she desired to fall back upon her first plan. She was like the captain of a vessel seeking to enter an unknown harbour, who, with two channels before him each intricate and dangerous, and two pilots each advocating a different course, cannot choose between them, yet listens now to one and now to another, and will not give up the helm to either, and so drives blindly upon the breakers. She resolved to insist no longer on the abdication. The Queen of Scots should remain Queen, reign jointly with her son, and, should he die, resume her crown absolutely; she wished only to make the proposal "seem to proceed.

[1] Arundel to Elizabeth, January —: *MSS. Queen of Scots.*

from the Queen of Scots herself without compulsion." [1]

It was now the Queen of Scots' turn to assume the high tone. Seeing that Elizabeth was afraid to go forward, she instructed the Bishop of Ross to say that she was ready to reply to the charges. The Conference had been suspended for a fortnight; nothing had passed in the interval except high words, which were followed by a challenge, between Lindsay and Lord Herries. On the 7th of January the Bishop of Ross again appeared at the session. He assumed and pretended to believe that his mistress was still called upon to abdicate. He said that he was commanded in her name to refuse. The world would say she was her own judge, and "she would be abhorred by the people of the whole island." She would reduce herself to the rank of a private person and might be placed on her trial. Should her son die she would be set aside, and be in perpetual fear of her life ever after.

Some one — it is uncertain who — proposed that "she should remain in the rank of a Queen," and "provision might be made" for the contingency of the Prince's death.[2] The Bishop said, that for no consideration would she consent. She would be deserted by her friends abroad, and her own subjects would tear themselves to pieces. She would agree to nothing, either in form or substance, which would make her less than a true Queen. The Earl of Murray and his colleagues in accusing her had wickedly lied. They were themselves the first inventors and conspirators of the murder: some of them had been the executors of it.

[1] Note of measures to be taken, January 7: *Cotton MSS., Calig. C.* 1.

[2] Answer of the Queen of Scots, with notes on the margin, January 9 *MSS. Queen of Scots.*

She was prepared to prove her words, and she demanded copies of the casket letters and of the other evidence, to enable her to make her defence.

Elizabeth was left to make the best or the worst of the position in which she had placed herself. Neither she nor Mary Stuart intended to pursue the enquiry further. Mary Stuart had consented to answer because she knew that she would not be called upon to answer. Elizabeth had but to save her own dignity, in which she succeeded moderately well. She said she would not refuse the copies, but before they were placed in the Bishop's hands, she desired both him and his mistress to consider what they were doing. From the first she "had herself wished to have the Queen's cause come to the best effect it might for her own weal." "If the said writings were delivered, she must then of necessity make answer without any cavillation for lack of admission to her Majesty's presence; and by her answers it must needs ensue that she should be proved either innocent or culpable of the horrible crimes of which she was as yet but accused and not convicted." "If she should not by her answers prove herself innocent, no further favour could be honourably shewn towards her. She must therefore choose whether she would put the whole matter upon direct trial, or have the cause otherwise ended for her quietness and honour also." If she determined to proceed, she must send a declaration "under her own hand," that if "she should not prove herself clear and free from the crimes imputed to her, she would then be content to forbear request of any favour at her Majesty's hands." On the receipt by the Council of a paper to this effect, written and signed by herself, copies of her letters would then be furnished to her,

and if she was found innocent, all that reason could require would be immediately done for her.[1]

It is needless to say that no such declaration was ever made by the Queen of Scots. She had already the advantage of the position. She had not refused to answer, and was safe from exposure, which was the only danger that she feared. Murray's presence in England was no longer necessary. He was called before the Commissioners and informed by Cecil that, whereas he and his friends had been summoned to answer before the Queen of England for their revolt against their sovereign, "Nothing had been brought against them which impaired their honour and allegiance;" nor, on the other hand, "had anything been sufficiently produced or shown against the Queen their sovereign, whereby the Queen of England should conceive or take any evil opinion of the Queen her good sister for anything yet seen." The disordered state of Scotland requiring the Earl of Murray's presence there, her Majesty would not detain him longer; "he and his adherents" were at liberty "to depart in the same estate in which they were before their coming into the realm."

The meaning of this sentence was entirely intelligible to Murray. He had been tricked by false promises into bringing forward accusations which he would not have made unless with the understanding that his sister's deposition would be confirmed. Elizabeth had again made use of him for her own purposes, and intended to restore Mary Stuart, or not restore her, as it might suit her future convenience. The private arrangement with certain members of the English

[1] Answer to the demands of the Queen of Scots, January 13, in Cecil's hand: *MSS. Queen of Scots.*

Council, to which he was in consequence induced to consent, and the means by which he escaped from the plot which had been formed for his murder, will be told in the following chapter. For the present, and while still before the Commission, he required, before he departed, to be confronted with the Bishop of Ross and Lord Herries. They were brought in, and he enquired whether they intended to persist in accusing him of having had a share in the murder. They said that they had brought the charge at the command of their mistress; and when the copies of the letters were in her hands, "they would answer in defence of her innocence, and would also nominate particularly such persons as were guilty." They were asked whether they would specially accuse the Earl of Murray, or whether they thought in their consciences that the Earl of Murray was guilty. They said that they had no certain knowledge. Information of various kinds had reached them, but it was not for them to offer their thoughts and meaning. They were acting as the representatives of their mistress, and without further instructions they would say no more.[1]

Murray offered to accompany them to Bolton, that the Queen, if she dared, might accuse him in their presence. But the Bishop declined the proposal. He knew very well that against Murray she could say nothing. She might have accused Morton of having been privy to the conspiracy; she might have charged Maitland with having signed the bond at Craigmillar; but to secure their conviction she would also have secured her own: Maitland was now her friend, and she required his services; and Maitland who with a word could have silenced her defence, and Mary Stuart who

[1] Proceedings at Hampton Court, January 10 and 11: Goodall, Vol. II.

had no motive for ruining him unless she was driven to desperation, preferred to be mutually silent.

So terminated in impotence and self-contradiction the long and shapeless enquiry. Murray was able to say that he was allowed to return to the Regency. The friends of the Queen of Scots could say that Elizabeth still refused to recognise him as Regent, and had confessed in the sentence that the Queen of Scots' guilt had not been proved. The world at large; the continental courts, who had hitherto believed her to be indisputably a party to the murder; the English Catholics, whose interest in her succession disposed them to believe in her innocence, interpreted by their wishes the inconsecutiveness and insincerity of the conclusion. Elizabeth had desired to leave the Queen of Scots unconvicted yet with a blemished reputation; the truth had been forced upon the Peers, and so far she had gained her object; but beyond the circle of those who had seen the letters, she had created an impression that the Queen of Scots might, after all, have been falsely accused; that Elizabeth could not condemn her, yet for her own sinister objects refused to acquit her, and had aggravated the injustice of the imprisonment by hypocrisy and perfidy.

Cecil has left no record of the feelings with which he witnessed so wretched a result; but so dangerous appeared the Queen's vacillations, that Sir Francis Knollys, next to Cecil the most faithful of her ministers, believed her no longer capable of conducting the government.

"I see," he wrote, "that her Majesty shall never be able to raise her decayed credit, nor pluck up the hearts of her good subjects, nor prevent and escape the perils that are intended towards her, unless she do ut-

terly give over the government of her weighty affairs unto the most faithful councillors in whom she puts most special trust. Surely if her Majesty would do so, and back them with a merry and courageous cheer, and put her trust in God for the success, then I would not doubt but she should have as much honour in the end, and as good safety withal, as she could reasonably wish and desire. But if her Majesty will needs be the ruler, or half ruler, of these weighty affairs herself, then my hope of any good success is clean overthrown."[1]

Fearless in the rectitude of his purpose, the noble old man dared to lay the truth before Elizabeth herself. He told her that his sworn duty as Privy Councillor "obliged him to plainness." The Duke of Alva was presuming upon her unwillingness to go to war to discredit her before the world, and the cause of Spain and the cause of the Queen of Scots would be linked together.

"You have good councillors," he said, "provident, trusty, careful, no delighters in war, nor prodigal wasters of your treasure. Your Majesty need not trouble yourself with casting of doubts and discommodities or of dangerous inconveniences, whereby you may discourage them to stretch out the sinews of their wits to resolve most probably for your honour and safety. Rather contrarywise, your Majesty had need to encourage them with casting your care upon them, and taking their resolutions in good part, and to harden them in the prosecution thereof; lest otherwise they pluck in their horns and shrink in their sinews, and so lay the burden from themselves, either wholly or mangledly, on your Majesty's back. And hereupon

[1] Sir F. Knollys to Cecil, January 17: *MSS. Queen of Scots.*

must needs follow such wrestlings together of the affections, perturbations, and passions of your mind, that much time will be lost before your judgment can be settled to resolve. And yet time is precious. It is not possible for your Majesty's faithful councillors to govern your state unless you shall resolutely follow their opinions in weighty affairs. Your Majesty shall never be well served unless you will back, comfort, and encourage them. I stand in very hard terms with your Majesty; for please your eye I cannot, since nature hath not given it to me, and to please your ear I would be fain; but my calling, my oath, and my conscience do force me to rudeness. To be silent I dare not, lest the guilt of your peril should light upon my head." [1]

History, ever prone to interpret unfavourably the ambiguous conduct of sovereigns, has accepted her enemies' explanation of Elizabeth's behaviour. She has been allowed credit for ability at the expense of principle and character. To her own ministers she appeared to be incapable, through infirmity of purpose, of forming any settled resolution whatever; to be distracted between conflicting policies and torn by feminine emotions, of which, if jealousy of the Queen of Scots was one, a weak and unreasoning tenderness was no less certainly another. She had followed Cecil's counsel to the point where she made the Queen of Scots her mortal enemy. She had stopped short before the exposure which would have secured her from the effects of the Queen of Scots' hatred; and amidst the tricks, the subterfuges, the broken promises, through which she had floundered from the hour of Mary Stuart's arrival in England, she will be misjudged if an

[1] Sir F. Knollys to Elizabeth, January 17: *MSS. Queen of Scots.*

element of generosity is not admitted among her motives. Her advisers saw only the danger to which she was exposing both herself and the state. She too was conscious of the danger. She did not shut her eyes to Mary Stuart's character, yet she could not refuse her pity to a fallen Queen. With a letter which she wrote to her when all was over, the story of the Conference may end.

THE QUEEN OF ENGLAND TO THE QUEEN OF SCOTS.

"*January* 20.

"It may be, Madam, that in receiving a letter from me, you may look to hear something which shall be for your honour. I would it were so — but I will not deceive you. Your cause is not so clear but that much remains to be explained. As I understand it, my heart which directs my hand forbids me to write, because the fruit of a sorrowing spirit is bitter, and I had rather something else than pen of mine should shed such drops upon you. Your commissioners will tell you what has passed. If they do not tell you also what sincere good-will I have myself shown towards you, they deceive you and they do me too much wrong. Only let me advise you this. Let not the fine promises, the pleasant voices, which will do you honour through the world, wrap you round in clouds and hide the daylight from your eyes. Those do not all love you who would persuade your servants that they love you. Be not over confident in what you do. Be not blind nor think me blind. If you are wise, I have said enough."[1]

[1] Abridged from the French original. — *MSS. Queen of Scots, Rolls House.*

Of the murder of Darnley there was henceforth no more to be heard. That chapter of crime was closed and to the reader who has followed the story attentively, it might seem superfluous to add further comments upon its features. Mary Stuart's share in that business, however, being one of the vexed points of history, and the political consequences of the accusations against her having been so considerable, a few concluding words will not be out of place.

At the time of the catastrophe, the body of public opinion in England, the predominant weight of moderate statesmanship, was in favour of recognising the Queen of Scots as successor to Elizabeth's crown. Thenceforward the open advocacy of her claims, in Parliament or out of it, was no longer possible. She had still powerful friends, but they were divided among themselves, and encumbered with the consciousness of a cause which they dared not avow. Dropping their character of English statesmen, they became conspirators, moving in the dark, and compromising themselves with treason and foreign intrigues, and thus gradually all that was honourable and noble fell away from their side. The mass of English country gentlemen, at the outset but cold friends of Protestantism, became converts through their patriotism, and Mary Stuart was left to an ever-narrowing circle of Catholic fanatics, to whom the Pope was dearer than their country.

That the *primâ facie* case was strong against her, her warmest advocates will scarcely deny. She was known to have been weary of her husband and anxious to get rid of him. The difficulty and the means of disposing of him had been talked over in her presence, and she had herself suggested to Sir James Balfour to kill him. She brought him to the house where he was

destroyed. She was with him two hours before his death, and afterwards threw every difficulty in the way of any examination into the circumstances of his end. The Earl of Bothwell was publicly accused of the murder; she kept him close at her side; she would not allow him to be arrested; she went openly to Seton with him before her widowhood was a fortnight old. When at last, unwillingly, she consented to his trial, Edinburgh was occupied by his retainers. He presented himself at the Tolbooth surrounded by the Royal Guard, and the charge fell to the ground, because the Crown did not prosecute and the Earl of Lennox had been prevented from appearing. A few weeks later she married Bothwell, though he had a wife already, and when her subjects rose in arms against her and took her prisoner, she refused to allow herself to be divorced from him. After the discovery of her letters, her guilt appeared so obvious and so shocking that all parties in Scotland agreed to try her and execute her, and she was only saved by the interference of Elizabeth. In Scotland, England, France, and Spain there was at first but one opinion — De Silva in London, Du Croc in Edinburgh, alike entertained no sort of doubt about her; nor was it till the political jealousy of the Hamiltons raised a faction against Murray, and till party interests became involved in those of the Queen, that it became convenient to suppose her to be innocent. On her flight into England, her first object was to prevent enquiry, and when it could no longer be evaded, she herself, her commissioners, and her English friends exerted themselves to persuade Murray to keep back the serious charges against her. She was ready to compound for his silence by granting him perfect immunity for his

rebellion; although if her letters were not genuine, he had not only risen in arms against her, but was shielding himself by forgery of the basest kind. Had the Queen of Scots been really innocent, so far from evading enquiry she would naturally have been the first to insist upon it; she would have demanded it as a right of Elizabeth; she would have called on France and Spain to see that she had fair play. If they failed her, she had friends enough in England to watch over her interests. Instead of this, her one word throughout was compromise. So long as "the odious charges" were not pressed she was ready to make all concessions, and France, when France moved for her, protested only against a sovereign princess being placed upon her trial.

From first to last, her own conduct and the conduct of her friends, was exactly what it would have been supposing her guilty. Even in her own letters, though she denies the crime, there is nowhere the clear ring of innocence, the frank indignation against slander, which makes its weight felt, even when the evidence is weak which supports it. La Mothe Fénelon, though eager to extricate her from her difficulties, yet never spoke of her even to his own court as suffering under calumny. His advice to her representatives was to gain time, to parry the charges, to make difficulties, to decline to answer.

Of the English commissioners, and of the peers who sat with them, not one, whatever the Bishop of Ross might afterwards pretend, professed to think her innocent. Norfolk, the most interested in her acquittal, said distinctly that he thought her guilty: by the Bishop of Ross's own admission he was harder against her than even Cecil. Her letters were read by several

noblemen so well inclined towards her that they broke into rebellion in her cause and the Pope's, yet, after the most careful comparison of the incriminating letters with others of unquestionable authenticity, they could detect no difference in the handwriting to sustain a suspicion that they were forged.

The solitary ground for believing those letters to be spurious is Mary Stuart's own denial that she wrote them, yet her denial was accompanied with the most earnest anxiety that they should be destroyed, while it would have been by their preservation alone that she could successfully disprove her hand in them.[1] The age which could have produced forgeries so ingenious would have produced also the skill which could detect them, and her mere assertion weighs little against the recorded results of a careful examination by men who had the highest interest in discovering a fraud. It is in a high degree unlikely that a forger would have ventured on producing so many letters, touching on so

[1] Sergeant Barham, during the Duke of Norfolk's trial, mentioned a curious fact in connection with these letters, and with Mary Stuart's anxiety about them. "The Duke," he said, "was privy to the device that Lidington accompanied the Earl of Murray (to York) only to understand his secrets and to betray him, and that Lidington stole away the letters and kept them one night, and caused his wife to write them out. Howbeit the same were but copies translated out of French into Scotch, which when Lidington's wife had written out, he caused them to be sent to the Scottish Queen. She laboured to translate them again into French as near as she could to the originals whence she wrote them — but that was not possible to do, but there was some variance in the phrase, by which variance, as God would, the subtlety of that practice came to light."

This passage as it stands increases the mystery rather than relieves it. Why should the Queen of Scots make a retranslation? If she succeeded exactly, she would only have added a fresh proof against herself. She perhaps intended to make duplicates, which could be exchanged for the originals, in which the compromising passages could be omitted: but the conjecture most inadequately meets the difficulty. It is only evident that she was in deep anxiety about the letters, and did everything in her power to prevent them from being examined.

many subjects, with the danger of exposure increasing in an accelerating ratio, when a single letter would have served his purpose. It is still more unlikely — it is morally impossible — that if they had been forged, some evidence of the truth should not eventually have come out. The secret must have been known to many persons, and the Bishop of Ross and Herries could hardly have missed the traces of it. Maitland, for one, must have known it, for the letters were in existence before Murray's return from France, when the entire control of the Confederate party lay with him and the Earls of Morton and Mar. Maitland went over to Mary Stuart's party, devoted what remained of his life to her, and died in her cause. At any moment he might have secured her triumph by revealing the fraud. If fear for himself kept him silent while alive, he might have left papers behind him which told the truth after his death. Yet no hint of the kind was ever dropped by him or any one. To have carried out a complicated forgery with such complete success that, neither at the time nor after, the traces of it should ever be discovered, must have been a feat of such extraordinary difficulty, that only the very strongest inconsistency in the letters themselves with the other features of the case would justify a belief that it had been accomplished.

And assuredly that inconsistency does not exist. The hardihood of Mary Stuart's advocates has grown with time. The Catholics made her innocence an article of faith. Under the Stuarts it became an article of loyalty. Through religious and political tradition it has been passed on to the spurious chivalry of modern times, which assumes that she could not have been wicked because she was beautiful and a Queen. A

seeming solid surface will form on a morass by a long accretion of weeds and scum, and in like manner out of supposition and conjecture, and hard assertion, out of the mere mass of so-called authorities who profess to have examined the evidence and come to a favourable conclusion, a plausible ground has been erected from which she can be noisily and boldly defended. Her original champion was contented with a more modest tone. The Bishop of Ross would unquestionably have said all in her favour which the most strained probabilities allowed. During the progress of the Catholic conspiracy he published a tract to satisfy the doubts which were abroad about her, and he was driven to arguments such as these: — The Queen of Scots was unlikely to have murdered her husband, because, had she desired his death, she could have had him executed for the assassination of Ritzio. It was unlikely that Bothwell would have preserved such letters as she was said to have written to him. These letters were neither signed, sealed, nor dated, and her hand could easily be counterfeited. If they were genuine they did not contain "any express commandment of any unlawful act or deed to be committed or perpetrated," neither did they "ratify or specify the accomplishment of any such fact already past." They afforded only presumptions "by unseen and uncertain queries, aims, and conjectural supposings." Allowing that she was as guilty as the Lords pretended, they had no right to depose her. Considering Lord Darnley's offence, "a simple murder, in her being a prince, could not deserve such extreme punishment," and "subjects had no warrant to set their hands upon their sovereign." "David was an adulterer and murderer, and God was angry with him, yet was he not by his subjects de-

prived." They ought to have "dissembled the matter," and to have left her punishment to Heaven.[1]

The reasoning required falsehood to carry it down. The Bishop said that Murray was self-convicted, because on his first coming to York he did not allege any such crime against the Queen of Scots, but produced the charge only when he could not otherwise "serve his turn." None knew better than the Bishop of Ross for what reason Murray had been silent. None had been more urgent to keep him silent. With even greater audacity he declared that "the nobles of England appointed to hear the matter not only found the Queen of Scots innocent, but fully understood that her accusers were the contrivers and workers of the crime, and perfectly knowing her innocency, they had moved her to accept the noblest man in England in marriage."[2]

[1] *Defence of Queen Mary's Honour, by Morgan Philips.* Printed by Anderson. — The real author was the Bishop of Ross. The parallel of David was so obviously apt that it was much in use among the more naïve of the Queen of Scots' supporters. On the 4th of June, 1571, when Edinburgh was in the hands of the Queen's friends, the Bishop of Galloway, who was entirely devoted to her, preached a sermon in St. Giles's church, with the intention of bringing back the more obstinate citizens to their loyalty. The ministers had objected to pray for the Queen. "I would wish you, oh inhabitants of Edinburgh," said the Bishop, "to send for your ministers and cause them pray for the Queen. For this I may say she is their lawful magistrate, for that her father was our native King, and her mother was likewise an honourable Princess, and she gotten and born in lawful bed. Thus far to prove my argument that she ought to be prayed for. And further, all sinners ought to be prayed for. If we should not pray for sinners, whom for should we pray? seeing God came not to call the righteous, but sinners to repentance. Saint David was an adulterer, and so was she. Saint David committed murder in slaying Uriah for his wife, and so did she. But what is this to the matter? The more wicked she be, her subjects should pray for her to bring her to the spirit of repentance. For Judas was a sinner, and if he had been prayed for he had not died in despair. No inferior subject has power to deprive or depose the lawful magistrate, he or she whatsoever; albeit they commit whoredom, murder incest, or any other crime." — Sermon preached by the Bishop of Galloway, June 4, 1571: *MSS. Scotland, Rolls House.*

[2] The Duke of Norfolk.

What the noblest man in England himself thought about the matter, and what the Bishop of Ross knew that he thought, has been already seen. Elizabeth's extraordinary sentence had alone made it possible to publish so enormous a lie. The details of the proceedings fortunately survive to test the value of the Bishop's words.

But the Bishop put forward his defence only to serve an immediate purpose, and it is not to be accepted even as an expression of his private opinion. When the conspiracy broke down, and Mary Stuart's air-castles had dissolved, and the web of treason so diligently wrought was rent in pieces, then, seeing the end of his falsehoods, the Bishop dropped the mask and betrayed his real estimate of his mistress's character — an estimate by the side of which Buchanan's Mary is an angel.

Doctor Wilson, the Master of the Court of Requests, thus described the language in which the Bishop of Ross spoke to him of his mistress: —

"He seemeth very glad that these practices are come to light, saying they are all naught, and he hopeth when folk will leave to be lewd his mistress shall speed the better. He saith further, upon speech I had with him, that the Queen his mistress is not fit for any husband; for first, he saith, she poisoned her husband the French King, as he hath credibly understood; again, she consented to the murder of her late husband, the Lord Darnley; thirdly, she matched with the murderer, and brought him to the field to be murdered; and, last of all, she pretended marriage with the Duke, with whom, as he thinks, she would not long have kept faith, and the Duke should not have had the best days with her."

Well might Doctor Wilson exclaim, as he did in conclusion, "Lord, what a people are these: what a Queen and what an ambassador!" [1]

With these words all that need be said upon the subject may fitly close, and the reader must be left to his own judgment.

It is less easy to speak with confidence of the conduct of Elizabeth. She was in a position where there were no precedents to guide her, and she lost her way in its perplexities. To countenance subjects in rebellion was doubtless dangerous, and, according to the principles of the time, unjust; but occasions rise where the highest right is the highest wrong; where the sovereign, who is the representative of order and justice, becomes the representative rather of crime and villany; where society is inverted, and the rules belonging to it must be read backwards. When the Scottish people took Mary Stuart prisoner and with general consent prepared to try her for the murder, either Elizabeth ought not to have interfered, or she might have interfered only to insist on a strict and exhausting investigation. The truth would then have been known and proclaimed, and if the spectacle of a crowned head upon the scaffold had been deemed intolerable, the Queen's life might afterwards have been spared without danger.

But Elizabeth — troubled with the fear of encouraging a perilous example, troubled with a dislike of the Protestants whom she knew that she had injured, doubting whether Mary Stuart was really guilty, or if guilty whether many of those who were in arms against her were not as deeply implicated as herself —

[1] Doctor Thomas Wilson to Burghley, November 8, 1571: *MSS. Hatfield.*

first forbade the trial, and then, by refusing to recognise the Regent, encouraged the Hamiltons to form a party against him for themselves and for the Queen. On the defeat at Langside she tempted her to take refuge in England, and immediately found herself face to face with enormous difficulties. She could not decently replace her on her throne till the evidence which the Regent offered to produce had been probed and tested; she could not allow a Princess who had claimed her own crown, who had assumed her title and had never formally abandoned it, who was known to be the object of the hopes of all those among her subjects who were disaffected to herself and the Reformation — she could not allow such a one to go abroad and call the armies of France and Spain into Scotland under pretence of reinstating her, when the only purpose with which these Powers would help her would be the proximate conquest of England.

Yet to keep her against her will when she had come to England in reliance upon promises which ought never to have been made, was an act which in itself had but too much resemblance to perfidy; and Elizabeth, had no interests but her own been likely to suffer, should have encountered, to her own inconvenience, the consequences of her own words and actions. So, perhaps, she would have done had she been a private person; but as a sovereign she was responsible for the welfare of her country; and the very existence of England and Scotland also was at stake. That, under such circumstances, she should have endeavoured to find some middle course was natural and not indefensible. Yet no compromise was possible while the truth was left uncertain; and when the truth, to which she had closed her eyes, was forced upon her, what was

she to do? If she could not restore Mary Stuart till the charges against her had been examined into, still less could she do it when the full extent of the fault was known; still less again could she let her go, exasperated by indignity and disappointment, without publishing her infamy; and this she had again bound herself by a solemn engagement not to do.

Thus it seems as if she was driven into the course which she eventually followed. It was dangerous to keep Mary Stuart, for in England she would be a focus of insurrection; yet there was still a hope that she might have learnt wisdom by suffering, and that by care and kindness she might be brought at last to see her real interests. Time would soften the recollection of her misdoings; by patient endurance of calamity she might recover her shaken reputation, and so eventually she might be replaced without objection in the position which she had forfeited.

With this possibility, for she herself knew that it was nothing more, Elizabeth allowed the Conference to terminate in an absurd conclusion, and accepted for herself a reputation for double-dealing or hypocrisy, which she deserved in form but not, perhaps, in substance. In the details of the proceedings she provoked the hardest interpretation of her motives. She swayed to and fro under the thousand considerations which the situation alternately suggested, and she said one thing and said another, said one thing and did another, as fear, duty, policy, natural pity, or natural spleen took successive possession of her. The consequences, in many ways, were disastrous; yet less disastrous than they would have been had she set her prisoner free. She herself was the worst sufferer in eighteen years of danger and disquiet, and in a stain upon her good

name and fame; but the first false step involved the rest by a tragic necessity. Had she left Mary Stuart to the justice of her countrymen, there would have been no civil war in Scotland, and the chequered times on which England was entering would have worn a fairer complexion.

CHAPTER XVII.

TWICE already, during the progress of the Reformation, the advance of the new opinions had been checked by reaction. The Act of Supremacy and the dissolution of the monasteries had been followed by the fall of Cromwell, the Six Articles, and the burning of Barnes and Lambert. The anarchy, social and spiritual, which had broken loose under Edward VI., was brought to an end by the hard and heavy hand of Mary and Pole. From the moment that Elizabeth declared against the Pope it was inevitable that, sooner or later, the Catholics would make a third effort to recover their ascendancy. In number they still exceeded the Reformers, although in energy and enthusiasm the Reformers had a corresponding advantage. The strength of the two parties, to outward appearance, was nearly equal, and neither one nor the other had become as yet accustomed to the practical working of the formulas of the Establishment, where each might hold their own opinions under the show of uniformity. The statesman of the nineteenth century, with the conditions before him which presented themselves to the Council of Elizabeth, would have left religion to the individual conscience — would have insisted only on general submission to the laws, and within that limit would have permitted Catholic and Protestant the free use of their own chapels and services. But this solution of the problem has been made

possible only by a gradual change of sentiment. Before a government can act on principles of toleration, the people to be governed must have become themselves at least outwardly tolerant. The attempt was made in France without this necessary preparation, and the result was universal disorder, interminable outbursts, and civil war, and when circumstances were specially unfavourable, those monstrous massacres, which have made the reigns of Catherine de Medici and her sons so infamous in history. The English Act of Uniformity, though intolerant in appearance and language, was adapted to protect the principles which it seemed to deny. Congregations of Ultramontanes and Genevans, if allowed each the free right of meeting, with their priests and ministers fulminating from rival pulpits, would have become organised bands of uncontrollable fanatics; the war of words would have become a war of blows, and every town in England would have been a scene of perpetual bloodshed.

A middle course was therefore chosen — a course which at the time pleased no one but the Queen and the half dozen or dozen intelligent persons who surrounded her; but it was the same which her father had marked out before her, and its eventual success may be allowed to prove that it was wise.

It was neither possible, however, nor desirable to hold the balance entirely even. The new ideas were growing; the old were waning. There was no anxiety to check the first or save the second. Each was to be allowed and enabled to follow its natural tendency in peace; and thus the formulas, as has been well said, though patient of a Catholic interpretation, were not ambitious of it; the Puritans could more ea-

sily use the English liturgy than the Catholics could dispense with the mass. The Puritans complained, but for the most part submitted. The Catholics, who conformed widely at first, tempted by the easy administration of the laws, fell away — especially in the northern counties — reconciled themselves to Rome, and watched and prayed either for a new sovereign, or for the interference of the Great Powers of Europe.

At the time at which the history has now arrived, a crisis was visibly approaching. The wisest of the Spanish statesmen had foreseen for years, that unless Elizabeth could be converted, a crusade against her would at last have to be undertaken. The defeat of Orange, the growing exhaustion of Condé — everywhere except on the sea — the presence of the Queen of Scots in England, and Elizabeth's evident timidity in dealing with her; the seizure of the Spanish treasure, and the discontent provoked by the suspension of trade, had created at last, in the opinions of many of them, the opportunity for which they had waited so long.

The philosophy of history, which resolves events into the action of organic and necessary laws, conceals from us the perplexities of the living instruments by which those events were brought about. We see what actually happened; we imagine that we discern the causes which determined the effects; and, in assuming a necessary connexion between them, we smile at the needless fears, we ridicule the needless precautions of kings and ministers; we despise them as short-sighted; we censure them as arbitrary and tyrannical; failing to perceive, or else failing to acknowledge, that if the results were inevitable, the characters which assisted to produce those results were inevitable also. By a subtle process of intellectual injustice, we convert the

after experience of facts into principles of reasoning which would have enabled us to foresee those facts; and we infer, with unconscious complacency, the superiority of modern intelligence.

"Knowledge of the result," a wise man once observed, "has spoilt the composition of history." A just moral appreciation of conduct is made impossible by it. The remedy, so far as there is a remedy, is to look wherever we can through the eyes of contemporaries from whom the future was concealed.

Of the prospects and position of England in the opening months of the year 1569, a remarkable sketch has been left by Sir William Cecil — drawn either for his own use, according to his habit of looking everything in the face, or that he might place distinctly before Elizabeth the dangers to which he believed that she was exposed.

Except for the support of the Great Powers, the Papacy, he said, would have either fallen or would have been reformed. France and Spain, however, in their mutual jealousies, had both supported the Pope, in order to secure his friendship or to be safe from his enmity; and one or both of them would, sooner or later, assist him to recover England. The Queen had escaped so far, "rather by accident than by policy or strength." The death of Henry II., the civil war, the difficulties of Spain in Flanders and in the Mediterranean, had obliged both Catherine de Medici and Philip to temporize and affect a desire for her friendship. But Condé appeared at his last gasp, and, without help, would speedily fall; Alva was absolute in Flanders, and the favour shown to Mary Stuart had given renewed strength and spirits to the party opposed to the Regent in Scotland. At the first convenient

moment either France or Spain, or both, would throw an army across the Channel. An excuse, if excuse was wanted, could be found in the asylum offered by England to the Protestant refugees, and in the forced detention of the Queen of Scots. Henry VIII. and Edward VI. had quarrelled with the Church of Rome. But in their time there was no pretender to the crown. The Queen of Scots stood now before the world if not as legitimate sovereign of England, yet as indisputably the next in blood. She had been deposed from her own throne for reasons which, however well understood in the beginning, yet had been rendered doubtful by the impotent results of the investigation, and she could represent herself as held a prisoner for no cause which her rival dared to avow. Her "determined Papistry" endeared her to the Catholics, and recommended her as an instrument to the foreign enemies of the Queen; while anxiety for an ascertained succession, the prospect of a union of the two crowns, and natural pity for her misfortunes, made friends for her among all parties in England. "The fame of her murdering her husband would by time vanish away, or by defence would be so handled as it should be no great block in her way to achieve her purposes." On the other side, Elizabeth was without child, without husband, without ally, and almost without friends. Her subjects had, by long peace, been rendered unapt for war, and the disaffected among them "had grown bold by her soft and remiss government." "The service of God," "and the sincere profession of Christianity, were much decayed;" "and in place of it, partly Papistry, partly Paganism, and irreligion had crept in;" "baptists, deriders of religion, epicureans, and atheists were everywhere;" and

"such decay of obedience in civil policy, as compared with the fearfulness and reverence in time past, would astonish any wise and considerate person." "The Realm was so feeble, that it was fearful to think what would follow if the enemies were at hand to assail." "The case seemed so desperate as almost to take away all courage to seek a remedy." [1]

It is both instructive and singular to find Cecil, the firmest and bravest advocate of the Reformation, lamenting the decay of reverence and the spiritual disorder which we now see to have been its inevitable fruits. There were some features of danger in this estimate which were overrated; some sources of strength which were not appreciated. France and Spain were far from the triumph which Cecil believed them to have all but obtained. Triumph was not possible for them on the road which they had chosen. It might please Pius V. to give the blessing of the Church to Mary Stuart, and to make light of her crimes. As the Bishop of Ross justly argued, the orthodoxy of David had covered misdeeds of equal turpitude; and David for twenty centuries had been held up before the religious world as the man after God's heart. Yet men who were most opposed to the spirit of the times, were changed by it in spite of themselves; and not orthodoxy any more, but purity of hand and heart, was thenceforth to be the test of character. The English Catholics (the great bulk of them), forced as they were by circumstances to the side of Mary Stuart, yet never forgot Kirk-a-Field, as Cecil thought they would forget it. When the moment came to strike, their arms were paralysed; and

[1] Memorial on the State of the Realm, March 10, 1569: Burghley *Papers*, Vol. I.

even Philip II. had many scruples to swallow before he could appear in public as her champion against his sister-in-law.

Possibly, too, Cecil mistook the character of the anarchy which he deplored. He undervalued, especially, those fierce children of the sea to whom, in the end, Elizabeth was to owe her safety; and he misconstrued into lawlessness the free English energy which, in the exultation of new-found liberty, was bursting the bounds of control.

Yet with these allowances there was enough in the prospect which he saw before him to justify the gravest alarm; and Cecil who, unlike his mistress, was in favour of open measures, desired to meet the Catholic Powers by a combination like their own, and oppose to the Papal league the firm front of a Protestant confederacy. With the knife at all their throats it was no time to stand upon "dainty" questions of the rights of subjects and sovereign; of the efficacy of the sacraments, or the operation of "prevenient grace." The remedy, so far as Cecil could see a remedy, was in an alliance between England, Sweden, Denmark, the German Princes, the Scotch Protestants, and the Calvinists in France and Flanders. He wished Elizabeth to declare distinctly for Condé and the Prince of Orange, and to avow before Europe that England would not look calmly on a general persecution for religion. It would be found both easier and cheaper to support the Reformers abroad while they were still in arms, than to wait to encounter the enemy single-handed after they had been destroyed. With equal frankness he desired her to maintain the Earl of Murray in Scotland; to give the Queen of Scots to understand that if she did not

February.

fulfil her engagements at once and ratify the treaty of Leith, she should be sent back over the Border to be dealt with as the Regent's government should think proper; and to silence with a high hand the domestic clamour for the settlement of the succession.[1]

The adoption of this policy, or of anything approaching to it, would necessarily terminate the compromise on which Elizabeth's government had hitherto been carried on, and force into collision the opposite parties in the Council. Except in 1562-63, when the attempt was made to recover Calais, the Queen had avoided embarrassing combinations with the Protestants on the Continent; and the conservative peers and country gentlemen were able to persuade themselves that they had no connexion with them. The constitution of the Church of England, its apostolical government, and its formularies, which recognised a quasi real presence in the Eucharist, permitted them to believe that they were still members of the ancient corporation of Christendom; while the Calvinists were the enemies of order, civil and divine, disobedient to rulers, deriders of authority, scorners of the Blessed Sacrament. The English Peers desired to see their sovereign taking her place beside her brother princes, maintaining and maintained by the old alliances, disowning and refusing all interest in the revolutionary rabble who had risen out of the dirt into rebellion. At home, too, the progress of the Reformation was in many ways unpalatable to them. The Howards, the Talbots, the Fitzalans, the Stanleys, the Percys, the Nevilles, the princely houses, who in their several

[1] Memorial of the State of the Realm, with remedies against the conspiration of the Pope and the two monarchies. — Burghley *Papers*, Vol. I. pp. 579, 588.

counties had represented for centuries the majesty of the sovereign — whose word was law, and from whom in a continuous chain the civil order of the state descended, looked coldly on the new men who were rising by trade, who owned the lands which had been taken from the Church, who acknowledged no fealty to them or theirs. The sea rovers, with their aiders and abettors, had no place in the stately system of Feudal England. The disintegration, which had alarmed even Cecil, shocked and outraged the old-fashioned nobility. Their place was gone from them. A new world was rising round them, and a new order of things, in which all objects held most sacred were being trampled in the mire.

The reception of Châtillon and the seizure of the Spanish treasure appeared to indicate that Elizabeth was yielding to the faction with whom, as they conceived, these mischiefs had originated.

On the termination of the enquiry at Hampton Court their discontent took active shape. There was no longer a probability that Elizabeth would be brought to recognise the Queen of Scots' succession; yet, in despair of finding a substitute for her, they satisfied themselves that her right must be maintained, and the question now was of the means by which it could be effected. Some of them — Lord Montague, Lord Southampton, and others — had been in correspondence with the Spanish Ambassador about it before the meeting at York; and it was by them that her marriage with the Duke of Norfolk had been first originated. But it has been seen that the Dacres succession had created a party among the Catholics opposed to Norfolk. The Northern nobles, Lord Dacres himself, the Earl of Northumberland, the Earl of

Cumberland, and Lord Derby's sons if not their father, the most decidedly Ultramontane among the Peers, objected to the Duke's elevation both on grounds of interest and from a distrust of his fitness to conduct a religious revolution. The late Duchess had been a Catholic, and most of his household were Catholics, but he was himself nominally a member of the Church of England. In their eyes, therefore, the proper husband for the Queen of Scots was Don John of Austria; and as Elizabeth's consent to such an alliance was not to be looked for, this section of the Peers contemplated open rebellion, the Queen's deposition, the restoration of the Catholic religion, and the immediate elevation of Mary Stuart to the throne. Don Guerau had communicated their views to Philip, and with the exception of the marriage with Don John, of which he said nothing, he gave a reluctant and general sanction to their enterprise.

Mary Stuart, believing Philip to be a fool as well as a fanatic, had injured her shaking credit with him by professing to have discovered a plot for his murder. She had written to Don Guerau from Bolton announcing that the heretics considered the King of Spain the greatest obstacle to the success of the Reformation, and that certain persons about his court had been bribed to poison him. Don Guerau sent down a servant to her to learn further particulars, but she could tell no more, except vaguely that Cecil was the instigator.[1] Don Guerau sent her letters to Philip, indicating his own belief that the story had no better foundation than the talk in the servants' hall at Bolton; and Philip was rather irritated at the indefiniteness of the information than alarmed at the danger. After

[1] Mary Stuart to Don Guerau, December 4, 1568: *MS. Simancas.*

brief reflection he satisfied himself that it was mere smoke[1] and idle gossip, caught at by Mary Stuart in the hope of ingratiating herself with him.[2] He admitted, however, the expediency of making use of her. The arrest of the ships and money and the imprisonment of the ambassador were outrages too flagrant to be passed over. If an opportunity really offered itself for overthrowing Elizabeth's government, he said that in the interest of religion he was willing to sanction her deposition, and he sent discretionary powers to the Duke of Alva to do whatever might seem expedient. The Queen of Scots he accepted as an unwelcome necessity. He bade Don Guerau tell her, that if she were true to her religion he would take up her cause, but his mind misgave him while he consented. "It would be a bad business," he admitted, "to do anything inconsistent with the true Catholic faith."[3]

But the Northern Lords and their confederates formed but the extreme division of the great party of reaction. The majority of the Peers desired, indeed, to change the public policy of England, to remodel the Church so as to eject the Genevans, and to open the way for reunion with Rome, but they did not wish for a violent revolution. They were in favour of the Queen of Scots' succession, yet they wanted rather a change of administration than a change of sovereign, and were willing to leave Elizabeth in possession for her life. They would not have disturbed her at all; they would have left the succession to nature, had she

[1] "Cosa de humo."

[2] Philip II. to Don Guerau, February ult: *MS. Simancas.*

[3] "De cualquier manera que sea, es mal caso mezclar cosa ninguna que contradiga á nuestra verdadera y Catolica religion." — Same to the same, February 18: *MS.* Ibid.

consented to the Austrian marriage; it was only when this hope failed them, and the dangers which threatened England within and without became too manifest to be overlooked, that their dissatisfaction changed its character and took the form of disloyalty. Arundel and Norfolk saw as clearly as Cecil the critical situation of the country, and they wished to save it by returning to the old alliance with the house of Burgundy, by entailing the throne on Mary Stuart in despair of any other possible settlement, and, as a necessary consequence, by throwing a veil over her delinquencies. To these schemes Cecil was the great obstacle, and they resolved to lose no more time in removing so dangerous a counsellor from Elizabeth's cabinet. To them also the Spanish Ambassador was the natural ally. His house was guarded, and their access to his person was no longer possible; but the arrests had thrown the trading interests of half Europe into confusion; and merchants, money-dealers, and those who seemed unconnected with politics, were admitted to see him at pleasure. Among them, as yet unsuspected, was Robert Ridolfi, a Florentine banker, who, unknown to every one, was the agent of the Pope in London. He had pushed himself into private communication with the leaders of all parties from Cecil to Leonard Dacres, and he now made himself the instrument through whom all who wished it corresponded with Don Guerau.

The foreign relations of England were becoming every hour more threatening. As soon as the news of the seizure reached Spain, English ships were arrested in the Peninsula as they had been in Flanders. Notwithstanding the hesitation of La Mothe Fénelon, Catherine de Medici followed the example, in retalia-

tion for the countenance to Châtillon and to Condé's privateers. The vessels trading at Havre and Bordeaux were forbidden to leave the harbours, and trade with France was closed except at the few ports which were held by the Huguenots. On the side of England there was no flinching. Spain and France together could not send a fleet into the Channel able to encounter Portault, Champernowne, and Hawkins; and in the value of property already seized Elizabeth had enormously the advantage. The balance in her favour was increased daily by the prizes which were brought into her ports;[1] and Alva, as his anger cooled, began to doubt the prudence of an immediate rupture. Elizabeth affected the tone of an injured person who had had a quarrel thrust upon her. After a few weeks of chafing, the Duke sent over M. d'Assonleville, a member of the Council of the Netherlands, to try the effect of remonstrance.

It is not pleasant to contemplate the number of lies told about this "treasure." In the face of the correspondence of Cecil with the Devonshire gentlemen, it can scarcely be pretended that Elizabeth at no time intended to appropriate the money. She may have changed her mind, compromised matters with Cecil by consenting to detain, while she intended eventually to restore it, and so have saved her conscience. So it was, however, that both Cecil and the Queen insisted that the chests had been landed at the request of the Spaniards themselves, and that the thought of laying

[1] In addition to this advantage, the outstanding debts of the English merchants were large, and, of course, while the breach continued would not be paid. "It is thought they will repent," Cecil wrote, "for England oweth in Antwerp 100,000*l.* more than it hath, and I think great riches is now in our ports." — Cecil to Sir H. Sidney, January 6, 1569: *MSS. Ireland.*

violent hands on them had never been entertained for a moment. They pretended that the passage of the Channel was extremely dangerous from the pirates; the Queen had accidentally discovered that the money was the property of the Italian merchants, and she had doubted whether it would be well to expose so large a sum to further risk, and whether she might not borrow it herself. This was all that she had thought of and was most innocent — but while she was hesitating the Duke of Alva, without provocation, right, or justice, had seized upon the ships of her subjects.

If this was her position, Alva had only to accept it, prove the right of the King of Spain in the treasure, and take the risk of the transport upon himself. He wanted money badly, and if he succeeded in recovering it he could exhibit Elizabeth before the world as having attempted an act of piracy, and as having failed for want of courage to maintain what she had done.

D'Assonleville came over, hoping so to settle it; but he found that behind Elizabeth's words there lay a purpose, either in herself or in her advisers, which was not to be so easily dealt with. He could not obtain an audience of the Queen; he was not allowed to see Don Guerau, and he was detained in London from day to day, by excuses and evasive messages, till one part of the Council or the other had prevailed, and till the Queen could determine whether to relinquish her prize or hold it. Some attention will be required to understand the intrigues on which the reader is about to enter. He will first consider carefully the two following letters of the Spanish Ambassador.

DON GUERAU DE ESPES TO THE DUKE OF ALVA.

February 20, *London.*

"Cecil is still dominant, and would declare open war against us, but for the remonstrances of others of the Council. The Duke of Norfolk and Lord Arundel, with the assistance of our common friend Ridolfi, have contrived a means of communicating with me in cipher. They give me to understand that I may make myself easy about the money and the ships, which they assure me shall be immediately restored. If they have consented hitherto to their detention, and to Cecil's other insolences, it is because they have so far been too weak to oppose him successfully: but meanwhile they have collected their friends; they have taken measures to undeceive the people as to the real character of the seizure, and they mean to make an end of the present infamous Government, to place the administration in the hands of Catholics, and compel the Queen to go along with them.[1] Your Excellency they trust will approve, and they hope this realm will not lose the friendship of the King our master. They say that they will reëstablish the Catholic religion, — there never was a more favourable opportunity, — and Cecil, who imagines that he has them all under his feet, will find himself left without a friend.

"Cecil himself meanwhile is commencing a furious persecution. The prisons are overflowing, and in Bridewell there are a hundred and fifty Spaniards, who are forced to listen to heretic sermons, and are tempted by offers of rewards to become heretics them-

[1] The words are so important that they must be given in the original: "Entretanto se han proveydo de amigos y han dado á entender lo que passa al pueblo, y piensan quitar este gobierno que ahora hay, tan maldito y levantar otro Catolico, y hacer consentir en el á la Reyna."

selves. They have removed the sentries under my windows; but rather because of the frost than for any better reason. My garden gates are nailed up, and the knight who is on guard over me is established with his family in my porter's lodge. Cecil, Bedford, and the Lord Admiral[1] advocate war; the admiral, because of the opportunities which it will open to him for plunder. The rest of the Council are for peace.[2] The Lords who are my friends tell me not to be distressed at my detention. Nothing is meant beyond preventing me from communicating with the Catholics."

So far to Alva. A week later Don Guerau wrote to Philip: —

"D'Assonleville has had no audience, and while Cecil remains in power nothing will be done. He and his friends desire only to feed the fire in France and the Low Countries, believing that, if they can keep that flame unextinguished, they will be left alone in their heresies. They refuse to part with the money, unless your Majesty will send hither a special messenger to renew the old league, unless you will make compensation for outstanding injuries, and will apologise for the dismissal of Doctor Man. It will not be to your Majesty's honour to consent to these terms so

[1] Clinton.

[2] The ordinary Council, at this time, consisted of Sir Nicholas Bacon, Keeper of the Great Seal; the Marquis of Winchester, Lord Treasurer; Sir Walter Mildmay, Chancellor of the Exchequer; the Earl of Arundel, Lord High Constable; Duke of Norfolk, Earl Marshal; Lord Clinton, Lord High Admiral; Sir William Cecil, Principal Secretary of State; Lord Howard of Effingham, Lord Chamberlain; Earl of Pembroke, Lord Steward; Sir James Crofts, Controller of the Household; Earl of Leicester, Master of the Horse; Sir Francis Knollys, Treasurer of the Household; Earl of Bedford, Governor of Berwick; Earl of Sussex, President of the North.

long as the present Ministers are in power. There are many ways by which they can be shaken from their places. The Duke of Norfolk and Lord Arundel tell me that they will be the instruments of an alteration. The Catholics are arming under cover of an order from the Queen for the equipment of the musters; and they, with their friends among the Peers, represent the vast majority of the nation. The interruption of the trade will suffice of itself to cause a revolution. Care only is necessary that no untoward accident occurs meanwhile in Flanders; and against this the wisdom and valour of the Duke will provide.

"I have learnt from the Duke of Norfolk what they mean to say to D'Assonleville. He tells me that I must not be displeased that he has consented to it; because he thus secures his uninterrupted access to the Queen, and learns the secrets of the other party. They are extremely jealous and suspicious. My guard have been partially removed; but my house is watched by spies, and there are sentinels at night at the doors. It is essential that their trade with France be kept closed. Without oil and alum they cannot continue their cloth manufacture, and when work is slack, and commerce suspended, then they will fly to arms."[1]

These letters explain themselves without further comment. There were two projects on foot, to each of which the Spanish Ambassador was a party: one was among the Northern Lords, opposed to Norfolk, for a Catholic insurrection, the overthrow of Elizabeth, and a marriage, if Philip's sanction could be obtained for it, between the Queen of Scots and Don John; a

[1] Don Guerau to the Duke of Alva, February 20; Don Guerau to Philip II., February 27: *MS. Simancas.*

second party, headed by Norfolk himself, desired a change of government, and the arrest, and probably the death, of Cecil. The Earl of Leicester, who bore Cecil no good-will, and who feared the consequences to himself of a return to power of the old nobility, if he had not gained their good-will beforehand, was prepared to act with them if they appeared likely to succeed.[1] It was a conspiracy like that which had overthrown Cromwell — so nearly identical, that Cecil himself could scarcely have been unconscious of the resemblance. He had inherited Cromwell's policy, in all points except its violence. His hands were as yet

[1] A scene is described as having taken place at the palace, which is obviously exaggerated or distorted; but being related in almost the same language both by Don Guerau and by La Mothe Fénelon, is probably not wholly without foundation. Don Guerau says that on Sunday morning, in the middle of February, Norfolk, Leicester, Northampton, Mildmay, and Cecil were with the Queen. She was talking at one end of the room with Leicester and Cecil, and was persuading the former to agree to something which Cecil had proposed. Leicester, who was violently angry, told her that her throne would never be safe till Cecil's head was off his shoulders. The Queen swore she would send Leicester to the Tower, and spoke so loud that every one present heard her. Norfolk observed aside to the rest that My Lord of Leicester was in high favour so long as he echoed Mr. Secretary, but now, when he had an opinion of his own, he was to go to the Tower. "By God," he said, "it shall not be: some remedy shall be for this." "Pray God it may be so," Northampton answered. "I have ever wished it." Mildmay also said that some change was necessary; and the Duke, going up to the Queen, told her that he hoped when her anger was cooled, and she could reflect quietly on the condition of the realm, she would feel the need of making better provision for her own and her subjects' safety. He and his friends, as her faithful servants and councillors, would consider what ought to be done. The Queen left them in confusion — showing signs of great distress. La Mothe Fénelon tells the same story, but says it happened on Ash Wednesday, in the evening, before supper. "The Lords," he adds, "intended to call Cecil to account for his whole administration from the beginning of the reign. Cecil had endeavoured to frighten Leicester by saying that he was as responsible as himself. Leicester answered that Cecil alone was to blame, and he should provide for his own safety." — Don Guerau to Philip II., February 22: *MS. Simancas.* La Mothe Fénelon au Roy, March 8; Mémoire à part au Sieur de Sabran: *Dépêches*, Vol. I.

pure from blood, and he had not sought those invidious personal honours which had set the blood of the old Peers on fire. In all else he had trodden in the same steps, and had brought upon himself the same hatred.

But besides these two schemes, there was a third, in which the chameleon Norfolk was wearing far different colours. Like a prudent gambler, he did not risk his fortune on the success of a single speculation.

It is necessary to go a little back.

It will be remembered that the conference at York was broken up, on the report reaching the Queen that a marriage was talked of between Norfolk and the Queen of Scots. The Duke returned to London, staggered by the sight of the letters to Bothwell, and disinclined for the adventure. He complained to Elizabeth — perhaps in good faith — of the stories which were abroad about him; "he reported matters of the Queen of Scots to think her not meet to be had by him in marriage," and protested that he had no intentions of the kind.

Elizabeth, not altogether satisfied, and knowing the inducements which had been and would again be held out to him, said, "that although he did now mislike of it, yet he might percase be induced to like of it, for the benefit of the realm, or percase for her own safety."

Norfolk answered boldly, "that no reason could move him to like her that had been a competitor for the Crown. If her Majesty herself would move him to it, he would rather be committed to the Tower, for he never meant to marry with such a person where he could not be sure of his pillow." [1]

[1] Summary of matters wherewith the Duke of Norfolk has been charged: Burghley *Papers*, Vol. I.

The Queen "did well allow his vehement disliking of that marriage." The Duke protested afterwards that at the time he meant what he said;[1] and nothing could be gathered from the part which he took at the second conference which would imply that he had allowed his mind to return to the subject. Yet it seems either that his chief objection was the infamy which would attach to the Queen of Scots by the exposure which he then believed inevitable; or that he had permitted himself to be talked over by Maitland.

Of all those who had been parties to the proceedings at Hampton Court, the Earl of Murray had most reason to complain. He had been induced against his will to accuse his mistress, yet she had not been condemned. He believed — and his fears were confirmed by a thousand private assurances — that she would ultimately be restored, and he and his friends, after the part which they had taken, would then be irretrievably ruined. He was told that by producing the letters he had mortally offended the Duke of Norfolk, and that, if he left London, the Duke standing discontented, "he would have his throat cut before he reached Berwick." "Being," as he said, "at the uttermost point of his wit to imagine where matters would tend," he consented to a private interview with Norfolk, and met him in the park at Hampton Court.

The Duke reminded him of their conversation at York, and first reproached him for want of consideration for his sister. He replied, "that so far from not loving his sister, she was the creature upon earth he loved the best. He never wished her harm; her own pressing was the occasion of that which was uttered to her infamy."

[1] Trial of the Duke of Norfolk: *State Trials*, Vol. I.

The Duke then spoke of the marriage, of the succession to the Crown, and the necessity of settling it; of the impossibility of finding any other person in whose favour it would be determined; and he alluded to the union of the realms; to the quiet of Scotland — to all those subjects which had been dwelt upon again and again, and were familiar to both of them: the road to their attainment lay through the Queen of Scots' marriage with some English nobleman who would be agreeable to all parties; and the Duke implied, that if he himself were again to think of it, the Queen of England would make no objection. He did not directly mention himself, but he left Murray to understand what he meant. He did not say that Elizabeth would consent; yet his words, and "the circumstances of the case, gave Murray matter enough to think that she had been foreseen in the Duke's design."[1] So far as the world knew, the Duke was a Protestant. To Murray it could easily be represented that a marriage between him and the Queen of Scots, if sanctioned by Elizabeth, would, under the present circumstances, be the best guarantee for the stability of the Reformed faith. He had heard something of the scheme for her marriage with Don John, and since compromise seemed now inevitable, this perhaps was the best form in which it could take effect. He told the Duke that, "as soon as his sister would repent of her doings, separate herself from Bothwell, and be joined with such a personage as was affectioned to the true religion, whom Scotland might trust, he would love her as well as ever he did in his life; if that person should be the Duke of Norfolk, there was

[1] Murray to Elizabeth, October 29, 1569: *MSS. Scotland.* Compare Trial of the Duke of Norfolk: *State Trials*, Vol. I.

none he would like better, provided the Queen consented."

So they parted. The Duke told him to tell no one but Maitland what had passed; and he promised to communicate with him again when circumstances permitted. Meanwhile he sent orders to the Nortons to "stay the enterprise" at Northallerton, and to leave the Earl unmolested on his way back to Scotland.[1]

After this interview, Norfolk, on plea of sickness, was for some weeks absent from the Court, corresponding, through Ridolfi, with Don Guerau, and feeling his way among the other parties into which the Council and the Peers were divided. The opinion which had been expressed so boldly by Sir Francis Knollys, that the Queen was incapable of carrying through any bold or consistent course, was shared by every one. All expected that Cecil's defiance of Spain would end in ruin, if the Queen of Scots was to continue in England, as a perpetual instigator to conspiracies; and as there were two parties among the Catholics, so among the more moderate Protestants there were men whose loyalty to Elizabeth was undoubted, while they were assured that things could not safely continue as they were. If Mary Stuart were not to be disgraced, it was really necessary to marry her to some Englishman of rank whose patriotism could be relied upon; and they, too, for the same reasons which had been laid before Murray, agreed on Norfolk as the fittest person. Leicester, finding, perhaps, that the Catholics looked coldly on him, with the Earl of Pembroke and Sir Nicholas Throgmorton, were the leaders of this new faction. They took the Bishop of Ross into their confidence, and the Bishop, after consulting Norfolk,

[1] Confession of the Bishop of Ross, November 6, 1571: Murdin.

agreed to assist. To Don Guerau Norfolk had represented himself as only anxious for the restoration of Catholicism. The conditions of the new alliance were an easier version of the terms first proposed at York, as the basis of the intended compromise; and it is probable that Norfolk had been made aware of them before he spoke to Murray. All outstanding quarrels in Scotland were to be considered at an end; the abdication at Lochleven was to be cancelled; the murder forgotten, and religious rights respected on all sides. The Queen of Scots was to abandon her foreign intrigues and alliances, ratify the treaty of Leith, and become a member of the Church of England, where she was to continue to reside. The guarantee for her good behaviour would be her marriage with Norfolk, and her own ambition and the vanity of Scotland were then to be gratified by the entailment upon her of the English crown. This arrangement, it was supposed, would satisfy the moderate of all parties in both countries, and would take from France and Spain their best pretext for invading England, and their best chance of success if they made the attempt. Elizabeth was not to be consulted till the Queen of Scots' consent had been obtained, and till every security had been provided for herself which she could possibly desire — perhaps till she could be tempted with a hope of receiving at last, as part of the same arrangement, the hand of her adored Leicester. He, at all events, was the most active in the negotiation. The Bishop of Ross suggested that Leicester should himself marry the Queen of Scots, but the Earl "for many reasons considered himself unmeet for that honour." He said, "he did not suppose the Duke would think of it, except it was for the benefit of the Queen and the

realm;" but "he considered there was no better remedy for so dangerous a woman, and it would be well to make a virtue of necessity, if the Queen's Majesty would allow it." Pembroke used the same language. The Queen, he thought, would find herself unable to keep the Queen of Scots prisoner; "and, seeing the estate of things so greatly changed in France and Spain, and the Earl of Murray standing in so tickle terms in Scotland," he was "of opinion," and Sir Nicholas agreed with him, "that for these causes and others, with provision made, her Highness and the realm would take commodity" by her marriage with the Duke, if the Duke himself would consent to it.

The Bishop of Ross undertook that his mistress would do anything which the Queen of England and the nobility desired. The Duke, "with all manner of earnestness," as if he had waited for this assurance, professed himself willing. "Although," he said, "he would prefer to remain unmarried, yet, if the Queen of Scots would accept him, he would be content to sacrifice himself" for "the welfare of his country."[1]

Richard Cavendish, a son of Lady Shrewsbury by a previous marriage, went down to the Queen of Scots on behalf of Leicester, with presents and compliments.[2] The Queen of Scots confirmed the Bishop's engagements for her; and it was agreed that, when the arrangements were sufficiently advanced, Maitland should

[1] Examination of the Earl of Pembroke, September 29, 1569; Examination of Sir Nicholas Throgmorton, October 10, 1569: Burghley *Papers*, Vol. I. Confession of the Duke of Norfolk, November 10, 1571: *MSS. Mary Queen of Scots, Rolls House.*

[2] Among the presents — "as she seemed to be afraid of poison" — Leicester sent her "three special preservatives;" "a stone in a gold box," "a silver box with Mithridate," "and a horn of some beast." — Norfolk's Confession: Ibid.

come up from Scotland, and, in the Regent's name, make a formal proposal for the marriage.

All this the Duke of Norfolk concealed carefully from Don Guerau. To the Ambassador he represented himself as seeking for nothing but a return to communion with Rome. He was playing with all sides for all events; in case Elizabeth fell, or was compelled to sacrifice her ministers, he wished to be able to plead his services with Philip, and obtain the hand of the Queen of Scots in that way, in spite of the desire of the Northern nobles to see her married to Don John.[1] He was deceiving Don Guerau, and he was deceiving also Leicester and Pembroke; while the Queen of Scots and the Bishop of Ross were in return playing upon him. While the Duke was persuading himself that in one way or the other he was making sure of her; while to him she pretended that she had no other desire; the Bishop of Ross was telling Don Guerau, that at the bottom of her heart she intended, if she could, to take a Spanish husband;[2] and the Queen of Scots herself found means to inform Don Guerau, that although her position obliged her to temporise and seem to acquiesce in the proposals which were made to her, yet in religion and in everything else she was in reality at Philip's disposition; Philip's

1 "Podria ser que el Duque de Norfolk tuviesse intencion despues de haber hecho servicio á su Magd. de ver si seria contento de favorescerle en el casamiento con la Reyna de Escocia." — Don Guerau to Alva, March 15: *MS. Simancas.* In the decipher the last words are, "con la Reyna de Inglaterra;" but the Queen of Scots was the person evidently meant. There was never any hint of a marriage between Norfolk and Elizabeth. It was perhaps a mistake of the secretary.

2 "Dióme parte de lo que V^a E^a trató con estos caballeros cerca del casamiento de su ama diciendo que en España habia cosa que le conviniese mucho. Preguntóme si tenia yo alguna commission acerca desto" — Don Guerau to Alva: *MS. Simancas.*

pleasure should be hers; and, were she at liberty, she would not marry the Duke of Norfolk, but would place herself and her son under Philip's protection.[1]

Meanwhile, although near the surface the wind was moving in these uncertain eddies, the upper current of events and actions was rolling stormily onwards. The injury to English trade was less absolute than Don Guerau expected. An eventual rupture with Spain had been foreseen and prepared for. Sir Henry Killegrew during the past year had been negotiating fresh openings in the ports of the Baltic, and Hamburgh was willing to take the place of Antwerp as the mart from which English goods could be carried into Germany. The merchant adventurers had pushed their way to Moscow and even to Persia. The western mariners, who preferred Turk to Catholic, and on the whole regarded him as a better Christian, were trading "up the Straits" with Constantinople and Alexandria. Rochelle could supply the best wines and fruits of France; Rochelle privateers intercepted the vessels which sailed from the Catholic harbours, and their cargoes lay ready piled for export in the Huguenot storehouses. The passing loss would be converted to gain by English energy and spirit, and on these Cecil, for his part, was willing to rely. D'Assonleville received the answer at last which Don Guerau expected. He was told that the Queen declined to negotiate with Alva. The King of Spain must send a commission directly from himself, if the

[1] "La dicha Reyna dice que si ella estuviese en libertad ó se le diera tal socorro que confiara reducir con él su Reyno á su obediencia, que á su persona y á la de su hijo entregara en poder de V. Magd., pero que ahora será forçada seguir y tomar el tiempo como viene y toda via no se apartará jamas de la voluntad de V. Magd. assi en lo de la religion como en cualquiera otra cosa." — Don Guerau to Philip, 1569: *MS. Simancas.*

relations between him and England were to be re-established. To give emphasis to his dismissal, the ships which escorted him back to Dunkirk, under his very eyes, with ingenious insolence, cut out from Calais roads a dozen rich Spanish merchantmen, and swept them back into the Thames. In the Channel and out of it, in harbour and on the open sea — wherever a vessel could be found with a Catholic owner, it was plundered by the English rovers. Some lay in wait for such ships and galleys as contained Flemish prisoners, whom they would set at liberty.[1] Others plunged into the Spanish ports themselves, to rescue the English vessels, crews, and cargoes which were detained there, and helping themselves to any valuables which they might encounter in the process on sea or shore.[2] The prisoners whom they took on these expeditions they brought home as hostages for their countrymen, caged them in the harbour gaols, and tortured them with daily homilies from Protestant ministers.[3]

March.

To the yet deeper distress of Philip, the house of one of the largest Spanish merchants in London was searched by Elizabeth's police; the furniture of his chapel, the crucifixes, the images of the saints were carried away, borne in mock procession through the

[1] "Otro siete navios Ingleses peleáron con dos navios Españoles de passage cargados de fardeles de Flandes, y el uno navio escapó destos con muerto el majestro de ella, y capitan y otros quatro compañeros, y el otro navio quedó peleando con ellos de que no se sabe lo que se ha hecho, el cual navio traya 32 forçados de Flandes." — Memorial presented by Don Guerau to the English Council: *Spanish MSS.*, *Rolls House*.

[2] "Una nave Inglesa ha venido de Vigo que enviáron de aqui armada para sacar los Ingleses y ropa que alli tenian, y se dió buena maña; y sacó doce mercadores y ciento y viente paños y cuarenta mill escudos en plata" Don Guerau al Duque de Alva, Marti 20: *MS. Simancas.*

[3] Don Guerau al Rey, February 27: *MS.* Ibid.

streets, and burnt in Cheapside, amidst the jests of the populace, who cried, as they saw them blazing, "These are the gods of Spain! — to the flames with them, and to the flames with their worshippers!"[1]

At all this work Cecil looked on complacently,[2] and with France he followed, though less openly, the same audacious policy. The fleet which La Mothe had discovered to be in preparation sailed under Sir William Winter for Rochelle, and carried supplies to Condé. Guns and powder were landed there, and as much money as Elizabeth could spare. La Mothe waited on her to remonstrate; and of course she protested her innocence. She spoke with the strongest seeming disapproval of Condé, and professed to be delighted at the successes of the Crown. But La Mothe had the most exact information. She had consented reluctantly, but she had consented nevertheless. The open sailing orders to Winter had contained no mention of the Prince, nor any indication that he was to receive assistance; but further instructions had been added in a private note, which Cecil had drawn and the Queen had signed.[3] Without exposing her evasion, the Ambassador insisted on what was too patent to deny. A whole fleet of English rovers were sailing under Con-

[1] Don Guerau to Alva, April 30. The letter mentions many other outrages, but against this last especially, Philip scored in the margin his agitated marks of distress.

[2] Half deprecatingly — as perhaps being not quite certain of his correspondent — he wrote in the midst of it to Sir Henry Sidney: — "The arrest between us and Flanders continueth still in one state, saving that daily ships of King Philip's, with merchandise, come in so plentifully as in policy it may tempt somewhat otherwise to be done than was meant at the beginning. I, myself, like peace best, for though in wars I hazard not myself, yet my labour and pain be as great as whoso taketh most." — Cecil to Sidney, February 28: *MSS. Ireland.*

[3] La Mothe Fénelon au Roy, January 10 and January 24: *Dépêches*, Vol. I.

dé's flag, and selling their prizes, as they took them, in Plymouth and Dover. If she was herself innocent in these matters, she was responsible, as a sovereign, for the acts of her own officers and subjects; and, on the 8th of March, under orders from Paris, he offered her peace or war. If she chose war, it should be war open and avowed; if peace, the privateers must be called in, and the English harbours closed against the Huguenots. He allowed her fifteen days to consider her answer.[1]

Threats of this kind Cecil believed that she could safely defy. War with France would not be unpopular in England, where the Calais wound was still rankling. Scotland and the prisoner at Bolton were more inveterate difficulties. On this subject, too, at the close of the conference, La Mothe had ventured a remonstrance; but here Elizabeth was on firmer ground, and could speak with conscious integrity. "She had no cause," she said proudly, "to change her pale colour for any charge which could be brought against her for her treatment of her sister. Rather, if she was pressed, she would show matter for her justification which would crimson the cheek of the Queen of Scots."[2] The Duke of Chatelherault had come to London to watch the process. At the end of it she dismissed him with an intimation that she intended to support Murray, and she lent Murray himself three thousand pounds at his departure for Scotland, to assist him in rallying his friends. She gave him to understand, however (and it was this which betrayed him into his correspondence with Norfolk), that she could not undertake the perpetual custody of the

[1] La Mothe Fénelon au Roy, March 8: *Dépêches*, Vol. I.
[2] Ibid., February 10.

Queen of Scots. For the example's sake, she could not recognise the right of subjects to rebel; and, whatever her faults had been, some arrangement would certainly have to be made for his sister's return. The casket letters must not be published. He must consult with his party, and send her up the conditions under which the restoration could be ventured.[1]

Meanwhile, the inflammatory letters which Mary Stuart had written to the Hamiltons, and a general knowledge of her English intrigues, impressed on Elizabeth the necessity of removing her to some straiter custody. Lady Scrope, as Norfolk's sister, was a dangerous hostess. Knollys was anxious to be relieved of his charge, and Mary Stuart was transferred to Tutbury, where she was to be for the future under the care of the Earl of Shrewsbury. The temper of the English nobles obliged the Queen to be more than usually circumspect in the choice of the person who was to undertake the ungracious office. The Earl of Shrewsbury was selected because he was half a Catholic, because he belonged to the party who had been much in favour of the Queen of Scots' succession, and because, therefore, her friends could feel that in his hands she was in no danger of foul play. Elizabeth, perhaps, intended to secure his loyalty by placing confidence in him. He was charged to prevent the Queen of Scots' escape, but "to treat her with the honour and reverence due to a princess of the blood royal." He was not, however, to carry his regard too far. "Besides the vehement presumption against her for the horrible murdering of her hus-

[1] Instructions of such things as are to be done in Scotland, January, 1569: *Cotton MSS., Calig. B.* 8.

band," he was made acquainted "with other particularities," to enable him to reply to her complaints. He was desired to tell her that, if she was overloud in her outcries, "it might be an occasion that her whole cause and doings should be published to the world, and thereof would follow many things to her prejudice, which she and her friends would regret."[1] Elizabeth at the same time wrote a few lines to her, to reconcile her to her condition, and to assure her that, notwithstanding her removal from Bolton, "if no impediment was ministered by herself, she would take care of her cause;" "her disposition was still, as far as honour might bear, to do all that was possible for her restoration."[2]

At Tutbury Castle for the last winter months the Queen of Scots remained. The Bishop of Ross and Lord Boyd were settled three miles off at Burton, to carry on her correspondence and to keep up her different intrigues, while Herries returned to Scotland, where Murray was trying to compose the distracted elements into which he had been flung. Mary Stuart did not make his work more easy for him: besides her first fierce letter, she had written on the 30th of January to the Archbishop of St. Andrew's, telling him to watch Murray closely, to fear nothing and listen to no persuasion, and if Murray struck, to strike in return.[3] The spirit, however, on both sides proved conciliatory. Chatelherault had been frightened by Elizabeth's words to him, and Herries was in Norfolk's secret, and was willing to acquiesce in the arrangements which the

[1] Commission to the Earl of Shrewsbury: *MSS. Queen of Scots, Rolls House.*

[2] Elizabeth to the Queen of Scots, February 3: *MS.* Ibid.

[3] Mary Stuart to the Archbishop of St. Andrew's, January 30: Labanoff, Vol. II.

Duke had talked over with the Regent. On the 13th of March a partial convention met at Glasgow, where the outlines of a general settlement were proposed and agreed to. The Hamiltons undertook to submit to the Regency, if their forfeitures were cancelled, if they were allowed a place in the Council, and if the other side would consider of measures for the return of the Queen. The meeting passed off quietly, and it was arranged that the Lords should reassemble in six weeks at Edinburgh. Argyle and Huntly would then be present, and the conditions could be finally determined on which Scotland was for the future to be governed.

So far things promised well, but a war with France would throw all again into confusion. It was now to be seen whether France and Spain, in resentment at their common injuries, could agree at last to attack England together; whether, if they could not move in concert, either one or the other would look on; or whether the jealousies which had held them so long apart could resist these new provocations, and continue as before to protect Elizabeth from attack. The persistence of the political traditions of the great war, long after the conditions out of which they had risen had past away, is one of the most remarkable features in the history of the sixteenth century. Having given in its ultimatum through La Mothe, the French Government durst not move actively till it had consulted and received the sanction of Philip. The Cardinal of Guise went to Madrid to learn his pleasure, and Philip at once recommended France to settle its difficulties at home before quarrelling with its neighbours.[1] Philip,

[1] "Parece que en ninguna manera le conviene romper con los de fuera, sino de attender al assiento de sus cosas propias, y acabar de castigar y

expecting daily a change of government in England which would bring back into power the friends of Spain, had no desire to sacrifice his own game. The conquest of Scotland and the invasion of England by the French friends of Mary Stuart were more terrible to him than heresy there, or than the destruction of his commerce by the privateers; a too triumphant France might stretch its hand to his own distracted Netherlands, or by holding both sides of the narrow seas cut him off from access to them.

Catherine de Medici might not have sat down patiently under the prohibition, though if she had flown in the face of it, Philip probably would have followed it up by war; but in England itself there was no internal party on which she could calculate to assist an invasion. The Catholics and the friends of Spain were those who represented the traditions of the Plantagenets; and Norfolk, while insisting to Elizabeth on the necessity of coming to terms with Philip, again professed his willingness to consent to the war with France.[1]

Amidst these uncertainties Cecil had to feel his dangerous way. Whether aware or ignorant of the conspiracy against him, he must have known that he was playing for his own life as well as for all for which

deshacer sus rebeldes, llevando adelante la victoria que Dios contra ellos le ha dado; pues esta claro que mientras estos duraren no le cumple por ninguna via tomar otras empresas fuera de su casa, ni mover los humores y zelos que de la liga que se apunta podrian nacer." — Respuesta de su Magestad al Cardenal de Guisa sobre las cosas de Inglaterra, ultimo de Abril, 1569: *MS. Simancas.*

1 "El Duque de Norfolk ha comenzado de hablar á la Reyna despues de la presa de estas Urcas, diciendole que se cargaba la guerra de un Principe tan grande como el Rey Catolico, y juntamente instaba el rompimiento contra el Rey de Francia." — Don Guerau to Alva, April 10: *MS.* Ibid.

he valued life. Elizabeth still allowed herself to be guided by him, and he in turn was guided chiefly by his horror of the tyranny of Alva. "The Queen," wrote Don Guerau on the 28th of February, "although an able woman, is in matters of importance confused and vacillating; she has a natural inclination for heresy, and Cecil being its greatest champion, she dare not vary as yet in any point from his advice;" [1] "Cecil's single principle is detestation of the Catholic faith, and as he has never been on the Continent, he thinks that England is all the world." [2]

If England was to go to war, Cecil still preferred Spain as an enemy to France. He was determined that there should be no reconciliation, except on terms which would make the Catholics despair ever more of Philip's assistance. He had brought his mistress to the edge of absolute rupture, but there she paused; "the word war was dreadful to her." [3] It meant expenses, it meant loans from the Jews, it meant taxation and its consequent unpopularity. She could not bear to hear of it, and here therefore, on her weak side, Cecil's enemies had the advantage. If she desired peace it was obvious to tell her that she must take measures to preserve peace; and many a storm had Cecil to encounter, as she wavered between her opposite advisers. In extremities Elizabeth did not stay to pick her words. "She cursed those who had tempted her to take the

[1] "Y como es naturalmente aficionada á esta heregia, y Sicel es tan gran ministro della, no osa aun apartarse un solo punto del parecer de Sicel." — Don Guerau to Cayas, February 28: *MS. Simancas.*

[2] This is a mistake — Cecil accompanied Lord Paget to the Low Countries in 1554 to bring back Cardinal Pole.

[3] "No quiere oyr hablar de guerra" was the report of a palace spy to Don Guerau. According to La Mothe her constant words in the Council were: — "Je ne veulx point la guerre, je ne veulx point la guerre." — *Dépêches*, April 20.

Spanish treasure : she wished the Devil had flown away with them." [1] But the happy inconsistencies of her character kept her conduct firm while her speech varied. She could not bring herself to unclasp her hold on the money. She felt that come what would, she could not afford to yield to fear, and she was proud of the wild achievements of her sailors. When Don Guerau complained of the plunder in the Channel, Cecil gave the proud answer, that the Queen of England was sovereign of the narrow seas, and he would make her rule acknowledged there. Don Guerau said, that "the sea was too fickle an element for a lady's sceptre;" but Elizabeth, however she might complain, was substantially of Cecil's opinion, and refused to interfere with him.[2] April.

At this crisis arrived the untimely news of the battle of Jarnac.[3] The winter had been passed in a series of desultory skirmishes, which on the whole had been favourable to the Huguenots. Condé had readvanced to the Loire. The Duc de Deux Ponts was preparing to come to his assistance out of Germany; and it seemed as if the war, especially with Elizabeth's help, might still be indefinitely prolonged, when Condé was unexpectedly forced into an action at Jarnac, between Angoulême and Cognac; and there, besides losing a battle, lost his life. In itself the defeat was of no consequence. The Admiral easily rallied the Huguenot

[1] "La Reyna maldice á todos los que le habláron en el arresto del dinero, diciendo que queria que antes los hubiera llevado el Diablo, porque vee bien que estas cosas la podrian hacer caer en una guerra." — Descifrada del Italiano, March 15: *MS. Simancas.*

[2] "Respondióme Sicel que queria hacer á la Reyna de Inglaterra Señora deste Mare con supremo dominio. Yo le dixe que era muy inconstante este elemento por querer lo predominar la serenissima Reyna." — Don Guerau to Philip, April 23.

[3] March 13.

army. He kept the field, and was not obliged to retire from any important position. Condé was in himself worth but little; his place of command was better filled by the young Prince of Navarre, who succeeded to it; but, as a Prince of the blood royal, he was of an importance far beyond his personal merit; and at the first news, his cause was supposed to have perished with him. The effect upon Elizabeth was to decide her to keep the peace with France at all events and hazards. She did not know that Philip had stood her friend so conveniently. The French refugees in London petitioned her in the name of God not to desert their brethren, but she sent in haste for La Mothe Fénelon, and told him that the privateers should have no more access to her harbours; her own subjects should no longer serve among them, and the French prizes which they had taken should be restored. She wished, she said, that there was less violence in France; she wished the Government would not persecute the Huguenots; she wished the Huguenots would be less scrupulous about attending mass; but for herself, she would meddle no more between them.

La Mothe was courteous, and received her advances graciously. To France, at least, he was assured that she would give no more cause of complaint.[1] Towards Mary Stuart also, professedly out of deference to the wishes of the Queen Mother, she showed some increase of cordiality. From the gloom of Tutbury she allowed her to be removed to Wingfield, a pleasant country-house belonging to Lord Shrewsbury. She wrote letters to her unnecessarily warm, to which the Queen of Scots replied in a corresponding tone. The two Queens were thenceforth to live together as loving and

[1] La Mothe Fénelon au Roy, April 12, April 20: *Dépêches*, Vol. I.

affectionate sisters.[1] It was unfortunate for them both that Elizabeth never could understand the mischief of exaggerated language, and that she was but teaching her prisoner to despise as well as distrust her. The Queen of Scots enclosed Elizabeth's letters to La Mothe Fénelon, with a few words of most expressive contempt. "The Queen of England has changed her note," she said, "because of Jarnac, although she would persuade me that Jarnac is nothing. I believe this as much as I believe her fine words."[2]

The Huguenots, it was clear, were to be left to their fate. Towards Philip, however, the attitude was firm as ever, and Don Guerau began to be anxious for the promised deposition of Cecil. The Lords had talked largely to him, but nothing had been done. The reputation of the English was rather as men of action than as men of words, and the Ambassador accounted for their slowness by supposing that the national character had degenerated.[3] The first step, when at length they resolved to move, was not calculated to restore his confidence. To create difficulties in the City, without which it seemed they durst not stir, Arundel and Norfolk drew up a proclamation, which they sent to Don Guerau, and desired that it might be published by Alva in the Netherlands. The purport of it was, that the arrest of the ships and merchants at Antwerp had not been made as an act of hostility against the English nation, but was aimed merely at a party in the Council, who, contrary to the advice and wishes of the

[1] Mary Stuart to Elizabeth, April 8; Mary Stuart to Cecil, same date: Labanoff, Vol. II.

[2] Mary Stuart to La Mothe Fénelon, April: Ibid.

[3] "Pienso que aquellos Señores se hubieran declarado mas y mas presto. sino que esta nacion no tiene el corazon que antes solia." — Don Guerau to Alva, March 15.

ancient nobility, had broken the old league between Spain and England.[1] A threat of war might conveniently be added. They recommended that the King of Spain, if their mistress wrote to him, should return no answer; and, last and most important, they suggested that the Duke of Alva should find means to intercept the great fleet which was going to Hamburgh. Half the wealth of the merchants of London would be on board, and if this could be taken, and the Hamburgh project annihilated at the same time, the citizens, already discontented, would take arms. They said that they would then place themselves at the head of the insurrection, and the Queen would then be compelled to part with the detested Secretary.[2] From Don Guerau the two noblemen went to La Mothe: notwithstanding Elizabeth's change of tone, they expressed a hope that France would still act with Alva — France, with whom but lately Norfolk had invited Elizabeth to go to war. They desired him to advise his Government to send in a bill of injuries as large as they could possibly make it; and they suggested that some Italian troops, whom the Pope had sent to France to assist in putting down the Huguenots, should be quartered in Normandy, as if for action in England.

[1] A proclamation very much to this effect was actually published by Alva. Don Guerau says distinctly that it was devised by the two English noblemen with a view to create an insurrection: — "El Duque de Norfolk y el Conde de Arundel me diéron una forma de proclamacion, que deseaban que el Duque de Alva mandase publicar; pensando con ella y con la estrecheza del trato que el pueblo se levantará y ellos podrian mudar al Gobierno." — Don Guerau to Alva, April: *MS. Simancas*

[2] Don Guerau never ceased to insist on the importance of catching the Hamburgh fleet. "Con solo impedir que esta flota no vaya ó sea presa los Ingleses son rendidos," he says on one occasion; and again: "Si las naves que V^a E^a ha dado licencia que se armen estuvieron al punto de tal manera que pudiesen coger esta tan rica presa, seria conquistar esta Isla." — Same to the same, March 20 or April 10: *MS.* Ibid.

All this was not very chivalrous. "They are the most cautious people in the world," Don Guerau wrote to Alva. "They will do nothing unless we help them and show the way." Yet their scheme might be worth executing, he thought, in default of braver measures. "If your Excellency's ships," he said, "can but catch this rich prize, it will be the conquest of the Island."

Hard language about men whose work for good or ill has been long past should have no place in history. It is enough to relate what they did with such allowance as the circumstances and passions of the time can suggest. Yet, if treason has a meaning — treason to the state, which is worse than treason to the person of the sovereign — these noblemen, who deliberately for their own purposes plotted the ruin of English commerce, deserved whatever penalty law or justice could demand against them. Norfolk's guilt especially was rendered deeper by the treachery with which, at the same time, he was playing with the honour of Murray and the loyalty of Pembroke. As the plot thickened the Catholics throughout England made ready for the conflict. They sent Don Guerau word, that with the first display of a Spanish flag on English soil, they would rise as a man in Philip's name, and the heretics and the pirates should meet their deserts.[1]

Had Catherine de Medici cared more for the Catholic faith than she cared for France, English Protestantism would have had a fiery trial before it. But as Philip could not permit the French to invade England,

1 "Muchos Catolicos me escriben cartas secretamente que en viendo banderas de V. Magd en este reyno se levantaran todos para servirle; y cierto como se me dan entender por V. Magd en la reduccion del y castigo de algunos insolentes hereges y desvergonzados ladrones, yo no tengo por cosa dificil en sugetar este reyno ó á lo menos hacer mudar el gobierno y religion." — Don Guerau to Philip, April 2: *MS. Simancas.*

so Catherine was as little able to look complacently upon a revolution in favour of Spain; and the more long-sighted of the Catholics themselves began to fear that religion would be lost sight of in the quarrels of the two great Powers, and that England, as was said before, "would become another Milan." A secret agent of Pope Pius in London told La Mothe Fénelon, that if there was any difference of opinion — if there was the faintest cloud of suspicion between the Courts of Paris and Madrid — it would be better for Christendom that England should be let alone; the evil of interfering would outweigh the good. Don Guerau had desired that, to increase the mercantile pressure in London, the English should be excluded from the ports of France: "I know not what to think about this," La Mothe Fénelon wrote to his sovereign. "It may be that the Duke of Alva means only to extort from England reparation for his own wrongs, and when he has implicated your Majesty in the quarrel will make up his own differences with the Queen and leave the storm to fall on you. If I may venture to advise, your Majesty will remain on good terms with the Pope and the Catholic King, but you will remain also at peace with this realm. You may tell the Council here, that inasmuch as their conduct has been so outrageous both towards the Catholics and the Queen of Scots; inasmuch as they have allowed so many heretics to collect here from all parts of Europe, and have made England the focus of so many heretic conspiracies, at the request of his Holiness, Italian troops will be stationed in Normandy. You may say that the King of Spain has requested you to coöperate with him, and in duty to your own subjects you must protect them from the English pirates; but at the

same time you will give the Duke of Alva to understand that France cannot permit England to be conquered by Spain; he may do whatever he may think necessary for the recovery of the stolen money — but you cannot allow him to make a descent upon the English coast." [1]

Philip was pouring cold water on the ambition of France, and France was dreading equally the too great success of Alva. The two governments were still far from the "accord" which Cecil dreaded; and if the Hamburgh trade could be carried on safely, and the Catholics at home be controlled, Elizabeth had but to manage France skilfully and she could still afford to despise the intrigues of the Spanish Ambassador. Her security and her strength were better understood abroad than at home. While Cecil described himself as almost desperate, Sir Henry Killegrew wrote from Hamburgh in May, in a tone of enthusiastic exultation. "I think," he said, "the Queen's Majesty is more feared and honoured this day, of all countries, what religion soever they be of, than any of her predecessors before her were: I beseech God her Highness do hold fast, and I doubt not but to see in her days the ancient honour and fame of England and

[1] "N'obmettant pour leur grandeur et reputation, de faire demander au duc d'Alva qu'est-ce qu'il pretend faire contre ceste Reyne et son pays, et la façon comme ils entendent que l'entreprinse soit limitée, en quoy pourront remonstrer que les feuz Roys n'ont jamais voulu permettre qu'on fist conqueste dans ce Royaulme; cognoissans que cela importoit á la seureté de leur, et que comme le feu Empereur fut bien en accord avec le feu Roy Françoys premier qu'il peult bien faire la guerre au Roy Henri huictiesme d'Angleterre pour le recouvrement de Boulogne sans toucher néantmoins ny descendre aulcunement en son Royaulme, que de mesme ilz trouvent bon que le duc d'Alva face tout ce qu'il pourra pour le recouvrement de ses deniers et des prinses, sans qu'il face aussi descente ny entreprinse dans ledict royaulme." — *Dépêches*, April 20, Vol. I. pp. 335, 336.

Englishmen — how blemished for a time — restored again to the glory of God." [1]

But could the Catholics be controlled — heated as they had been to boiling point by the hopes held out to them? It depended first on the Queen of Scots, and secondly on the maintenance or the overthrow of Cecil. Could Mary Stuart have parted with her visions of vengeance and revolution, and have accepted honestly the arrangements in her favour which had been concerted between Leicester, Pembroke, Norfolk, Herries, and Murray; could Norfolk at the same time have separated himself from his more dangerous associates, and become as loyal as he pretended to be to his mistress; it is likely — it may be called certain — that Elizabeth, in her desire for peace, would in time have given her own consent to the marriage. The French, for their honour's sake, were compelled to press for Mary Stuart's restoration — restoration in some shape and restricted by any conditions, if only they could escape the accusation of having abandoned her to her prison. Her reëstablishment as Norfolk's wife and as a member of the Church of England would have given peace to Scotland, would have restored at once a good understanding between Paris and London, and have quieted the uneasiness of the mass of Elizabeth's subjects. All, however, depended on the good faith of the principal parties, and of this the signs were ominous. The first act of reconciliation had been played out at Glasgow. Mary Stuart, when she heard that her friends were giving way to the Regent, burst into tears. "Her lips and face were swollen with weeping. She would eat nothing at supper, but

[1] Sir H. Killegrew to Cecil. Hamburgh, May 25, 1569: *MSS. Hatfield.*

wept as she sate."[1] Her true mind was fastened upon revenge and triumph. She had hoped that her party in Scotland would have led the way to the universal rising which was to raise her from her prison to a throne. She deplored their cowardice. "With her authority and theirs and three quarters of the people at her devotion," she trusted rather to have heard that they had hurled Murray out of the country.[2] She wrote herself to upbraid them, and, perplexed as they were among many councils, they submitted to be guided by her. When the second conference came off at Edinburgh, which was to have healed all wounds and opened the way for Maitland's mission to Elizabeth, Chatelherault "was moved to such repentance that he exclaimed in tears, he knew no authority but the Queen's." Huntly and Argyle would agree to nothing; and the assembly broke up in confusion.[3] The Duke of Alva meanwhile had issued Norfolk's proclamation. A copy was sent to England, and inasmuch as Alva charged the Queen with having acted against the advice of the nobility, Cecil, offering a full front to the danger, drew an answer of indignant denial, to which he announced that he would require the Council to attach their signatures. A meeting was called for the purpose, at which the leaders of the conspiracy refused to be present. Norfolk was many times summoned and Arundel also, but they would not attend; and the Queen at last consented, or desired, that the difficulty should be waived and the proclamation be left without reply.[4]

[1] Shrewsbury to Cecil, April 8, April 27: *MSS. Queen of Scots.*

[2] Marv Stuart to La Mothe Fénelon, April — and April 18: Labanoff, Vol. II.

[3] La Mothe, May 6: *Dépêches*, Vol. I.

[4] "Sicel começo responder con otro Placarte al qual habia ordenado con palabras muy arrogantes; y porque el Duque de Alva dice que estos progresos de la Reyna son contra la voluntad de la mayor parte de los Nobles, Cecil

Taking courage from Elizabeth's hesitation, Norfolk sent word to Don Guerau that in a few days all would be over. Cecil would be deposed and the stolen property restored.[1]

After a rapid arrangement with the Bishop of Ross, and after exchanging letters with the Queen of Scots,[2] they made up their minds to do as Norfolk's grandfather had done to Thomas Cromwell. Three times they came down to the Council, intending to rise from it with Cecil a prisoner; but three times, as Don Guerau wrote contemptuously to Philip, "their courage failed; they went to work like Englishmen, who could not act like men of other countries; they excused themselves by saying that so many of the Council had dipped their hands in Spanish plunder that they could not count upon support; but in fact they were poor-spirited. Like Englishmen they would have things well done, but they would leave the doing of them to his Majesty, without risk or trouble to themselves; and then they would give his Majesty their *thanks*." [3]

They were in debt, too, all of them — Norfolk, Arundel, and Lord Lumley, another of the same set.

lo queria hacer firmar no solo á los del consejo pero aun á los mas principales del Reyno. El Duque de Norfolk y el Conde de Arundel nunca quisiéron ir al consejo, y les enviáron muchas embajadas los del parte de Sicel; pero al fin la Reyna ha sido contenta que no se responda al Placarte del Duque." — Don Guerau to Philip, April 23.

[1] "Dicen el Duque y el Conde que dentro de breves dias ellos harán que la Reyna haga lo que debe, y mudarán al gobierno." — Ibid.

[2] Don Guerau, in a history of the whole proceedings which he sent to Philip on the 15th of June, says expressly, "que lo escribian á la Reyna de Escocia." He fixes the time at which they wrote as the last week in April, and it must have been therefore to this communication that Mary Stuart alluded in a letter of the 28th of April to Argyle, urging him to consent to nothing at Edinburgh, and more distinctly in a letter of the 5th of May to Chatelherault, in which she says, "Fear not upon my word. Bide constant and ye shall have that ye desire of one part or the other. Shortly ye shall hear more." — Labanoff, Vol. II.

[3] Don Guerau to Philip, June 15.

They pretended that they were without money for so great an enterprise. They desired Alva to supply them before they began, and they offered to give him bonds for repayment. Don Guerau said that they must earn their wages before they received them; his master could not throw away his money without an equivalent. As they would not move without it and seemed to catch at the excuse, he so far yielded at last that he procured 5000*l.* for them; but time was wasted in the interval, and before it arrived, Cecil, with extreme address, had discovered and disconcerted the plot. He was perhaps ignorant that Norfolk had meditated anything beyond an alteration in the public policy of the country. He supposed that the Duke was not wholly insincere in professing to be a Protestant. He frankly went to him, and declared that he himself had no end in view in the course which he had pursued, except what he believed to be the interest of his country; if the Duke and Arundel disapproved of the attitude which had been assumed towards Spain, he said that they might go both of them to Madrid, and take powers with them to arrange the dispute as they might think best with Philip. For himself he wished for nothing but some general settlement, by which Catholic and Protestant could be assured their natural liberty, and in which Scotland, France, and Flanders could be all included.

These proposals alone might not have been effectual. The mission to Spain in no way met the Duke of Norfolk's wishes; indeed, after the recent fate of Count Montigny,[1] it might not seem altogether safe.[2] But

[1] Sent on an embassy from the Low Countries to Philip, and privately put to death at Simancas.

[2] "Y despues tambien salió vana la determinacion de enviar á España, lo qual estos Señores me lo hacian saber con confusion sin declararme la del

Cecil had another argument, which the Duke, a poor, mean creature, crippled with debt and hungry for money, was in no condition to resist. The great cause of the Dacres estates was coming on before the Court of Chancery. If Norfolk could carry his point, he would not only secure the heiresses for his sons, but the administration of the whole vast property during their minority. Cecil promised the influence of the Government on his side, and thus succeeded for a time in separating him from the rest of his party. The intended revolution had brought up from the country Leonard Dacres himself, Lord Montague, the Earl of Cumberland, and other Catholic knights and gentlemen. The Bishop of Ross hurried up from Wingfield, all eager to be present at the arrest of Cecil.[1] Montague and Cumberland were Dacres' brothers-in-law, and devoted to his interests. They arrived only to find a litigation in process, by which one of the few remaining noble families of the old blood was to be sacrificed to the Duke of Norfolk's covetousness, and the Duke himself accepting the support of the minister whose destruction they had been invited to witness.

Violent differences among themselves, a more complete separation of the Catholics from Norfolk, and the suspension at the same time of immediate action, were the necessary consequences. The Duke fell back upon Leicester and Pembroke, and the marriage with the

todo, y pusó el mismo inconvenientes despues, diciendoles que si iban por ventura los detendrian en España, y assi esto tanpoco hubó efecto." — Don Guerau to Philip, June 15.

[1] "Estos caballeros daban parte del dicho negocio á la Serenissima Reyna de Escocia y para aquellos dias que ellos habian señalado hicieron venir aqui al Obispo de Ross, para que se hallase en la detention de Cecil que ellos pensaban hacer. Tambien sabian dello Milord Montague y el Conde de Cumberland y otros Catolicos que para aquel effecto vinieron aqui." — Don Guerau to Philip June 15.

Queen of Scots in the Protestant interest. He even ventured to mention the subject to Cecil, who listened with silence, but with no positive disapproval.

Meanwhile Elizabeth, ignorant as yet that the project was revived, was only anxious to rid the kingdom and herself of her dangerous prisoner. She did not mean to sacrifice her own peace for the convenience of Scotland. Except for the promises with which she had entangled herself towards Murray, she would have extorted conditions which would have been sufficient for her own security, and have sent her back with a high hand. As time went on, and as the inconvenience of her presence became felt more sensibly, these conditions became increasingly lighter. Having resolved not to disgrace her, the Queen was being driven to act towards her as if her innocence had been proved. Many papers remain in Cecil's hand indicating both his own and Elizabeth's uncertainty, and the desire of both of them to be quit of her almost on any terms. Three alternatives were offered to the Bishop of Ross at the end of April. Either the Queen of Scots might recognise the existing government in Scotland, with a security that if the Prince died she should resume the crown; or she might reign jointly with the Prince, the administration remaining in the hands of Murray and the present Council; or, lastly, if she would consent to neither of these conditions, she might be again sole Queen, if she would give sufficient securities for her future behaviour. She must consent to the maintenance of the religion established in Scotland, "declaring the crown of Scotland as free from the foreign jurisdiction of Rome as the crown of England." If she could not herself join the Scotch communion, she might be a member of the Church

of England, as she had already professed her willingness to be.[1] Some trustworthy person — if possible the Earl of Murray, "as there was none so meet in all Scotland" — would have to continue in the Regency. The forfeitures on all sides should be declared void, and the Queen of Scots must ratify, if not the whole treaty of Leith, yet so much of it as touched the rights of Elizabeth herself. The Scotch Parliament must undertake that the conditions should be observed, and if they were violated by Mary Stuart herself, she was to be understood to have *ipso facto* forfeited her crown.[2]

May.

These offers were submitted to the Queen of Scots at various intervals, and accompanied by language which Elizabeth would have done better to have left unspoken. "She is careful of your Majesty's welfare," the Bishop of Ross told his mistress, "and nothing content of your subjects who are declined from your obedience: she says your rebels in Scotland are not worthy to live: I perceive your good sister and all the nobility here be more careful of your honour, weal, and advancement than I ever perceived them before."[3]

The difficulty was the treaty of Leith. The ratification was the price which the Queen of Scots had all

[1] Mary Stuart had been careful to keep up the hopes of her possible conversion among those about her, although to Catholics, English and foreign, she always insisted on her orthodoxy. It is frightful to think what she must have suffered. "My Lord of Shrewsbury," writes Sir Thomas Gargrave on the 3d of April, "hath provided that the said Queen hath heard weekly all this Lent three sermons — every Sunday, Wednesday, and Friday one — wherein she hath been very well persuaded to the reading of Scriptures, and she is, as I am advertised, very attentive at the sermons, and doth not lose one." — *Cotton MSS., Calig. B.* IX. fol. 383.

[2] Consideration of the matters of the Queen of Scots, May 1, 1569. In Cecil's hand: *MS.* Ibid., *Calig. C.* 1.

[3] The Bishop of Ross to Mary Stuart, May 2: *MSS. Queen of Scots.*

along determined to pay for the recognition of her place in the succession. The Bishop told Elizabeth that she would submit the question to the King of Spain; if Philip decided against her she would yield. That a proposal so preposterous should have been brought forward at all showed the measure of her confidence. She believed Elizabeth was a fool, on whom she might play as upon an instrument.

As Elizabeth was obstinate, she thought that a sudden illness might produce an effect upon her; and writing to La Mothe Fénelon to present a sharp demand for her release, she professed to be seized with symptoms of the same disorder which had so nearly killed her at Jedburgh.[1] They were harmless, being the result merely of pills, but she had calculated justly on the alarm of the Queen of England, who dreaded nothing so much as any serious illness of her prisoner which the world would attribute to poison.[2] Cecil and Bacon did their utmost to modify their mistress's anxiety, but the stream was too strong for them. In one way or the other she was determined to wash her hands of the nuisance which was clinging to them. She told the Bishop of Ross that "she could not of her honour nor friendly and loving duty suffer the Queen her good sister to perish without help:" the resignation at Lochleven had been extorted by force, and should be treated as if it had no existence. If she would not ratify the treaty of Leith, it should not be insisted on; if Murray's Regency was unpalatable to her, it might be terminated: she must

Mary Stuart to the Bishop of Ross and La Mothe, May 10: Labanoff, Vol. II.

2 "La dolencia de la Reyna de Escocia fué fingida para mover al animo de esta Reyna, y habia hecho buen efecto con ella segun el obispo me dice." Don Guerau to Alva, June 1.

promise only a general amnesty, and undertake to be guided for the future by a council of state which could be selected by a Commission out of the nobility. If she preferred to remain a Catholic, she need only tolerate the Reformed religion, and agree generally to such stipulations as should be considered necessary by the Queen of England and the Peers "for the security of her Highness's person and the weal of both realms."[1]

It appeared as if Leicester and Pembroke had been right in their fears, and as if their mistress, in her eagerness to be quit of the Queen of Scots, would set her at liberty at last without any conditions at all. With such an impression of her character they might well think that to marry Mary Stuart to some loyal English nobleman was the wisest course which could be pursued. Finding the Queen in such a humour, the Council held a secret meeting without her knowledge. Cecil probably was present, for the report of the proceedings is endorsed in his hand. They sent for the Bishop of Ross, and desired him to submit to the Queen of Scots the following questions: —

June.

1. Whether she would wholly refer herself and her cause to the Queen of England?

2. Whether she would satisfy and assure the Queen's Majesty in all things concerning her title to the crown?

3. Whether she would cause the same religion professed in England to be established in Scotland by Parliament?

4. Whether the league between Scotland and

[1] Articles delivered to the Bishop of Ross at the Queen's Majesty of England's commandment, May —, 1569: *MSS. Queen of Scots.*

France should be dissolved, and an assured perpetual league be made between England and Scotland?

5. Whether touching her marriage with the Duke of Norfolk, which had been moved by the Earl of Murray and Lidington, she would wholly refer herself to the Queen's Majesty, and therein do as she would have her, and as her Majesty did like thereof — willing that all things should be done for her Majesty's surety which might be best devised by the whole Council?[1]

These enquiries were conceived in a spirit of undoubted loyalty to Elizabeth. The mind by which they were composed — it was probably Cecil's own — was truer to her than her present humour allowed her to be to herself.

The Queen of Scots was contemplating a future considerably different from what was thus marked out for her, and Elizabeth's evident weakness encouraged her most sanguine anticipations. But she knew Elizabeth to be changeable. The approaches which were here made to her came from those who had been most keenly opposed to her restoration in any form. Could she gain their confidence or neutralise their opposition, she could feel assured that her imprisonment would soon be at an end. Norfolk's own honour would require that she should be replaced on her throne before the marriage could take place; and any promises either to him or to others might be interpreted as having been made in confinement, and therefore as of no obligation. She might either accept Norfolk then — and she knew that he would be as clay in her hands — or she might throw herself upon Philip and take Don

[1] Heads and articles of certain conferences had with some of the nobility of England, June, 1569: *MSS. Queen of Scots.*

John, or, if Philip refused, she might tempt Catherine de Medici to give her another of her sons. The Queen of Scots never threw a chance away or refused an offered hand.

To the first two questions she replied with unreserved acquiescence.

For the third she referred to her original instructions to her commissioners, which also were entirely satisfactory.

About the league she consented also. She professed herself willing to unite with England and to separate from France.

To the fifth, which concerned her marriage, she returned the following remarkable answer: —

"My fortune," she said, "has been so evil in the progress of my life, and specially in my marriages, as hardly I can be brought to have any mind to like of an husband — but rather by a simple and solitary life to give testimony by my continent behaviour to all those who might put doubt therein. The troubles passed have so weakened the state of my body as I cannot think any certainty of my continuance; and thus neither shall I receive thereby after so many storms any felicity, nor should I leave him that I should marry in so good estate as he now is. Nevertheless, being resolved of certain doubts which occur to me from the trust I have in the Queen my good sister, and her nobility's friendship towards me, as also from the good-will I perceive my Lord of Norfolk bears towards me, hearing him so well reported abroad, I will wholly follow their counsel, not doubting but as I trust them herein, being in the greatest matter that can appertain to myself, they will have consideration of my causes as of her that wholly committeth herself

into their hands. Though not to boast myself yet because they might somewhat the better think of my true meaning to the Queen my good sister, as also of my good affection to those of the nobility and the realm to which I count not myself a stranger, I assure you that if either men or money to have reduced my rebels to their due obedience could have ticed me, I would have been provided of a husband ere now. But I seeking which way to please my good sister and them here, did never give ear to any such offer. Now this I make account to myself, that if I should marry with my Lord of Norfolk I am sure to lose ... my friends beyond the seas, as France and Spain and all other Catholic princes. This is the greatest loss that I could lose. In recompense whereof if I do by following of her counsel take this hurt, what friendship therefore shall I win in the stead to be sure to me? If I should give my consent to my Lord of Norfolk in this behalf, I would know how my good sister's will and consent may be had to the same. Pray, my Lords, to bear with me though I cast some doubt therein, considering how unwilling I have found her to have me bestowed in marriage before, as I am sure themselves know.

"I would in this cause have as much consideration of him that should be my husband as I would have of myself. I would be loath to bring him who now I know has as much felicity and contentation as any nobleman of his calling can desire to a worse estate; and, therefore, I would be glad to know not only if my good sister would like thereof, but also how friendly those of the nobility would deal with him, that he might not be with his sovereign Princess and countrymen as my late husband the Lord Darnley

was, which I to my grief did then find, and I would be sorry to enter into the alliance whereof I was well warned." [1]

The part was well played, the tone assumed throughout the answer was exactly pitched to please the Council. It was graceful, dignified, self-respecting, and on the points of substantial concession left nothing to be desired. The next step would naturally have been to consult Elizabeth; but there was a latent feeling among the Lords that the proposal would not be welcome if it came from themselves. They preferred to have it opened by Murray, and they waited impatiently for the coming of Maitland, whom Elizabeth herself appeared to expect.

But Murray, as well as they, had his own grounds for hesitation. In explaining his conduct afterwards to Cecil, he said, that "if the Queen, as she had led him to expect, had pronounced a decisive judgment at Hampton Court, he would have listened to no overtures from the Duke of Norfolk at all. But seeing her Highness so earnestly travailing for his sister's restoration, he could not think it profitable to lose the benevolence of such as seemed bent that way." "The Queen had been so strange and uncertain, that she had given him matter enough to think the marriage might be the thing which she most desired;" [2] but, like the Lords, he shrunk from speaking of it till he knew how it was likely to be taken. And he had another difficulty. Norfolk desired that the restoration should precede the marriage, as if to clear the Queen of Scots' reputation. Murray's cau-

[1] Answer of the Queen of Scots: *MSS. Rolls House.*

[2] Murray to Cecil, October 29; Murray to Elizabeth, October 29: *MSS. Scotland.*

tion made him prefer that she should be safely married first. According to Norfolk, the first step should be a request from Murray and his friends for his sister's release. Murray, to whom neither the marriage nor the restoration was welcome in itself, knew his sister too well to take her back till her hands were tied. His part was in every way a most difficult one ; but, on the whole, he preferred to act as if these secret intrigues had no existence, and at all events, as long as he was Regent of Scotland he resolved do his own duty there. On the failure of the conference at Edinburgh, Huntly proclaimed Mary Stuart in the north of Scotland, Lord Fleming held Dumbarton in her name, and Argyle refused to acknowledge the King's government. The Regent, to secure Edinburgh, sent Chatelherault and Herries to the castle, and prepared to take the field. The rumour that the Queen was coming back had been circulated everywhere with the worst effects. As a prelude to active measures he issued a proclamation containing a true account of the results of the investigation at Hampton Court. He said that he had been called before the Queen of England to answer to a charge of high treason. After diligent trial it was found and declared that he and the noblemen who had acted with him had done nothing "which did not become honest and faithful subjects of their bounden duty for the appeasing of God's wrath and for the common weal of their native country." "The charges against them had been dismissed, and his own government willed to continue." "He had been compelled to manifest and declare the truth that the King's mother had been participant in the murder of her husband." He had been challenged to prove his words before the Queen of England and her whole

estate, and the accusation "was sufficiently verified, and by the Queen's handwrit notoriously proven."[1]

Whatever might be Elizabeth's displeasure, Murray could not afford that the truth should be concealed. In the use of the words the "King's mother," he intimated that to him Mary Stuart was as yet no more than a private person, and with this distinct declaration he set out on his expedition against the Gordons. It was exactly at the time when Elizabeth's irritation and impetuosity, aggravated by the pretended illness of the Queen of Scots, had reached their highest point. She had already sent to him a sketch of the terms on which she considered that a restoration could be effected. The proclamation came back to her as a sort of defiance. As the Regent was on his way to Aberdeen he was overtaken by a messenger whom she had despatched to tell him that she would wait no longer: she insisted upon an immediate answer, whether he would or would not receive back his sovereign on those conditions.

A demand at once so serious and so peremptory took Murray by surprise. The restoration might be necessary; but in any way it appeared undesirable to proceed with it precipitately. He suspected that it was connected with the Norfolk marriage; but whether Elizabeth desired it or feared it, he could not tell. He thanked her "for having communicated so weighty a matter privately to him, rather than by open dealing to have endangered both the state and him."[2] He wrote to Cecil that he could not answer on the spot. He would make as much haste as the gravity of the mat-

[1] Copy of a proclamation set out by the Earl Murray in Scotland, May 13: *MSS. Scotland, Rolls House.*

[2] Murray to Elizabeth, June 5: *MSS. Scotland.*

ter would permit. "What was good for the Queen of England was good for Scotland; and however dangerous it might seem, he thought himself debtbound to accept it."[1] But he must consult his friends, and the Queen should learn their decision on his return from the North.

The journey, so far as concerned its immediate object, was eminently successful. Huntly offered no resistance. Argyle promised to do as Huntly did. The mere display of force brought present quiet; but Elizabeth, in her existing humour, was only the more exasperated. When there was a question of receiving back a deposed sovereign, a meeting of the nobles was no unreasonable preliminary; but her impatience could ill endure even the few days' delay which it required. She wrote again to Murray, saying she was surprised that he should have hesitated for a moment in gratifying her desire. She "had thought it convenient therefore to admonish him." "She wished him to think that the protracting of time to consider such weighty causes might prove so disadvantageous, that he would himself be sorry to have pretermitted the opportunity which she had offered him."[2] July.

In other words, notwithstanding the promises by which she had tempted Murray to produce the Queen of Scots' letters, she was positively determined to send her back again, whether her subjects desired it or consented to it, or refused to hear of it. Entirely at a loss to understand her conduct, but resolute not to yield till he saw his way, Murray wrote for information to Norfolk. The letter is lost, but Norfolk's an

[1] Murray to Cecil: *MSS. Scotland.*

[2] Elizabeth to Murray, July 17: *MS.* Ibid.

swer survives, and is a singular tribute to the good faith with which Murray was acting and had acted throughout. The Duke told him that he regarded him "not only as a faithful friend, but as a natural brother;" that he was as careful "of Murray's welfare as of his own honour." He wrote, he said, in the Queen of Scots' name as well as his own. Lord Boyd, the bearer of the letter, had seen the Queen of Scots, and was empowered by her "to resolve him in all doubts." As to the marriage, "he had proceeded so far in it that he could not with conscience revoke what he had done;" but it was impossible for him to go forward till Murray had removed the stumbling-blocks which were an impeachment to their apparent proceedings." "That must be done first, and all the rest would then follow, to Murray's ease and comfort." "The union of the Island in one kingdom in times coming, and the maintenance of God's true religion" — these were the objects to be secured, and there were many enemies, who would imperil, if they could, so great a purpose. He recommended Murray, therefore, to recall the Queen immediately, and make haste to have her formally divorced from the Earl of Bothwell.[1]

How Murray might have been influenced by Norfolk's arguments had they been left to work upon him alone, it is hard to say; but two fresh incidents occurred to confirm his uncertainty. One was the capture of French Paris, who was kidnapped in Denmark, brought first to Leith, and then to Aberdeen. There he had been examined by Buchanan during the northern expedition. His depositions had revived the recollection of the more atrocious features of the murder

[1] Norfolk to Murray, July 31: Burghley *Papers*, Vol. I.

of Darnley. He mentioned circumstances which would have aggravated, had aggravation been possible, the hatefulness of Mary Stuart's treachery, and made the thought of her return more vividly intolerable. The other was a commission, which Mary Stuart had issued, for the furtherance of her suit of divorce. She had described herself in the preamble as Queen of Scotland, with all her styles and titles; and while to the English Council she was undertaking to maintain the Reformed religion, while Norfolk was innocently writing to Murray of the advantages to be expected from her restoration "to the service of God," she had the imprudence to style the Catholic Archbishop of St. Andrew's the supreme ruler of the Church of Scotland.

Mary Stuart lacked the skill to subdue herself in her moments of elation, and wear her modest veil till it was time to throw it off. Maitland was seriously compromised by Paris; he was seen to have had his hand deeper than Murray knew in the tragedy of Kirk-a-Field. Confidence in him and in his scheming had become impossible; and with the darkness all around him, and with such dangerous lights at times breaking from it, the Regent was proof against Norfolk's blandishments and Elizabeth's commands. He could but fall at the worst, and it was better to fall nobly at his post and in his duty to Scotland, than start aside into crooked ways and stultify all that he had done.

He called about him the small gallant knot of men who had stood by the Reformation through good and evil. The Earls of Mar, Glencairn, and Morton; the Master of Montrose; Lords Semple, Ruthven, and Oliphant, met him at Perth, at the end of July. He would not allow Mary Stuart to plead that he had

packed his convention. He invited Huntly, Athol, and Maitland, and they thought it prudent to attend. Ten earls, fifteen lords, five bishops, and commissioners of the Commons from every town in Scotland, came at his summons to consider Elizabeth's demands. They decided, with a preponderance of voices before which the secret dissentients were forced to be silent, that, although, if it could be done with security to themselves and to him, they were ready to receive the late Queen among them as a private person, they considered her return to the throne, either alone or in conjunction with her son, as "so prejudicial to the state, and so dangerous for the unquieting of the whole Isle, that they would in no wise consent to it." "The petition for the divorcement was utterly rejected."

August. The reading of Mary Stuart's commission was received with an uproar which Maitland in vain endeavoured to allay; and "it was declared treason to reason for the future for the Queen's authority."[1]

Elizabeth received the resolutions of the convention with an anger which she did not care to conceal. Then, as always, when she was alarmed for her own comfort, she saw in Mary Stuart an injured sovereign, and in Murray a disobedient traitor. Then, as always, she was unable to remember that the Scots were no subjects of hers. She dismissed the messenger who brought it upon the spot, bidding him go back, and say to the Regent that he must consider better of his proceedings, and as he meant to have the continuance of her favour, he must satisfy her speedily in some more substantial manner. "Otherwise," she wrote to Murray herself, "you shall occasion us, without

[1] Hunsdon to Cecil, August 5: *MSS. Scotland.*

any further delay, to proceed of ourselves to make such a determination with the Queen of Scots as we shall find honourable and meet for ourselves; and in so doing, considering we perceive by your manner of dealing you only respect yourself and no other party, we doubt how you will like it: and then, though you shall afterwards yield to more conformity, it may prove too late and not recoverable by repentance." [1]

A few days after, a report came that Murray was preparing to recover Dumbarton, and to take fresh steps to coerce the recusant Borderers. Elizabeth followed up her first message by a second, "that she would not allow such doings," and unless she received some immediate satisfactory answer to her last letter, "she would be occasioned to proceed in such sort without him as percase he should find too much against him, and the fault thereof to proceed only from himself and none other." [2] She sent orders to Lord Scrope, if Murray attempted anything against the Border gentlemen, to receive and protect them. In her letter she called Mary Stuart Queen, and the Lords her subjects.[3]

A few weeks later Elizabeth found occasion to change her tone. Murray had then become again the saviour of his country, and Mary Stuart and the Borderers the enemies of her and mankind. It was her misfortune that while she could hesitate indefinitely when action was immediately necessary, the "perturbations of her mind," as Knollys called them, at other times swayed her into extremes, and she allowed sudden alarms and sudden provocations to tempt her to

[1] Elizabeth to Murray, August 12: *MSS. Scotland.*
[2] Same to the same, August 20: *MS.* Ibid.
[3] Elizabeth to Scrope, August 29: *MSS. Border.*

the most ill-judged precipitancy. Her violent moods were happily of brief duration. Her present excitement arose partly from a belief that the Huguenots had been crushed at Jarnac, partly from the irritation into which she was thrown by hearing gradually of the scheme for the Norfolk marriage. The defiant attitude, however, which Coligny was still able to maintain reassured her about her danger from France. The western gentlemen, when they were forbidden to cruise any longer under the Huguenot flag, petitioned in a body for leave to serve in France under the Admiral, and Lord Huntingdon asked permission to sell his estate and join the Huguenot army with 10,000 men.[1] The national enmity against France was at all times blown easily into flame, and whatever might be the feelings of the Queen and the nobles, the English Commons in this period of growing Puritanism identified themselves heart and soul with their struggling brothers. "The war party," La Mothe was forced to confess, "had more life and energy in them than their opponents."[2] Although there might be differences about religion in England, all parties united in their desire to recover Calais. The Catholics believed that if England and France were at war, Philip would be compelled to strike in upon Elizabeth's side. The Spanish quarrel would be made up, and the Catholic King would recover the natural influence of an active ally. 30,000*l.* were sent over to the Admiral, and La Mothe believed that it had been supplied by the Treasury. Elizabeth, when he complained, replied,

[1] "El Conde de Huntingdon fué á pedir licencia á la Reyna para vender su estado y hacer diez mill hombres y juntarse con el Almirante." — Don Guerau to Philip: *MS. Simancas.*

[2] "Ils ont trop plus de vivacité et d'entreprinse que les aultres." — La Mothe au Roy, June 21: *Dépêches*, Vol. I.

that if it was so, her coffers must be like the widow's cruise, for no money was missing from them. He discovered that it had been raised by subscription in the western counties among the owners of the privateers,[1] who had grown rich upon their pillage.

It is easy to see how great must have been the confusion when a Protestant crusade was being encouraged by Catholics and semi-Catholics. These movements were but eddies in the main stream of tendency; but the spirit of her people restored the Queen to her self-possession, while on the other great subject of her uneasiness she was now to learn that she could have done nothing more fatal to herself than act upon her threats to Murray.

In their first disgust at their apparent abandonment by Norfolk, the more earnest Catholics had attached themselves to Leonard Dacres and his friends. The Duke's marriage with the Queen of Scots, as concerted at present by the Protestant section of the Council, promised nothing to the cause of religion. It was rather likely to be accompanied with a firmer establishment of the Reformation in both countries. To this most important condition they could not be ignorant that the Queen of Scots had consented. They did not yet know how lightly such engagements could sit upon her, and they distrusted the feebleness and selfishness of Norfolk's character. To them, therefore, there appeared but one road open — to avail themselves of the Spanish quarrel before it should be made up, with the quasi sanction which they had received from Philip, and to rise in open rebellion. The Earls of Cumberland, Westmoreland, Northumberland, and Leicester, Leonard Dacres himself, Montague, Lum-

[1] La Mothe au Roy, July 27: *Dépêches*, Vol. I.

ley, and many others, intimated to Don Guerau that they were prepared to take arms. Lord Derby they expected would join them. Lord Shrewsbury would be with them in heart, and Lord Talbot, his eldest son, was in their confidence. They proposed to raise the whole North by a sudden simultaneous movement, set the Queen of Scots at liberty, proclaim her Queen of England, and reëstablish the Catholic religion. They would decide after their victory what to do with Elizabeth and her ministers. The more troublesome of the Bishops they would send over to Flanders for Alva, to be disposed of in the Great Square at Brussels.[1] The Queen of Scots might marry whom she herself pleased, or whomsoever the King of Spain might suggest.

To Mary Stuart herself such an alternative was simply delightful. She had never pretended to Don Guerau that she looked on her marriage with Norfolk with anything but distaste. Her ambition aspired to a Spanish prince at the lowest, and believing that the Ambassador shared her own desire, she sent the Bishop of Ross to him to explain away her acquiescence in the propositions of the Council as forced upon her by a hard necessity.[2]

The experience of English revolutions in past centuries might seem to justify the confidence of the Northern earls. A coalition less powerful and without the addition of religious enthusiasm had placed Henry of Lancaster on the throne of Richard II. Edward IV.,

1 "Dicen que dos ó tres obispos que les hacen embarazo les prenderan y enviaran á Flandes al Duque de Alva." — Don Guerau to Philip, July 5: *MS. Simancas.*

2 "En cuyo nombre me dixó el obispo que ella es muy importunada del casamiento del Duque de Norfolk, y casi necessitada á hacerlo por valerse de su ayuda y cobrar su Reyno." — Don Guerau to Alva, August —: *MS* Ibid.

when he landed at Ravenspurg, and Elizabeth's grandfather before Bosworth Field, had fainter grounds to anticipate success than the party who was now preparing to snatch England out of the hands of revolution and restore the ancient order in Church and State. Don Guerau, however, imagined that for some unknown reason the English had grown fainter-hearted than their forefathers, and he believed that policy might effect more than force. He was conscious of the danger of disunion. He felt the extreme desirableness of bringing Norfolk and his father-in-law Arundel again into coalition with the more determined Catholics, and he probably knew that for many reasons — from jealousy of his brother as well as aversion to the lady herself, Philip would never consent to give Don John to Mary Stuart. The uncertainty whether Elizabeth would allow Norfolk to have her, brought the fickle Duke back to Don Guerau. He explained to the Ambassador the project of the Council, but he gave him to understand also that if the marriage could be brought about he would use whatever power he obtained by it, not in the interests of the Reformation, as he had pretended to Murray, but in the interests of the Catholic Church. He desired Don Guerau to consult Philip and try to obtain his approval. Evidently, also, with Don Guerau's help, he wished to recover the support of the Catholics, that if he failed to obtain his end in one way he might fall back upon the other. He carried Arundel with him, and Arundel and Norfolk, besides their feudal command of the entire Eastern Counties, were the natural chiefs to whom the great English families south of the Trent all looked for leadership. Don Guerau, knowing Norfolk's temper, believed seriously that he was the most desirable husband

for Mary Stuart which Spanish or Catholic interests could desire. He recommended Philip to sanction the marriage.[1] He laboured to reconcile the Northern Lords to the prospect of it.[2] He commended their zeal, advised them to hold themselves in readiness to rise if an insurrection should prove necessary, and encouraged them with all but direct promises of assistance from Alva. If the Queen could be so far blinded as to allow the marriage to take place, they would obtain all that they desired without being obliged to fight for it. If she proved too wary to be caught, they could fall back upon force at the last moment, and with the added strength from the adhesion of the Duke, they could make their success a certainty.

It was fortunate for Elizabeth that to this conspiracy the failure of the Hamburgh expedition had not to be added. Half a year's produce of the English looms had been consigned to that one adventure, and had Alva intercepted the fleet, or had the market proved unfavourable, the effect might have been as serious as Don Guerau anticipated. Happily, however, success had waited upon the attempt both by land and sea. Not a sail was missing of the flight of white-winged traders which swept through the North Sea. Not a

[1] "Pienso que es mejor que se haga con voluntad de V. Md que no se podrá sacar dello á mi parescer sino gran fruto." — Don Guerau to Philip, August 27: *MS. Simancas.*

[2] They consented with great reluctance. The Queen of Scots sent John Leveson to consult the Earl of Northumberland. "I opened my opinion unto him," the Earl said afterwards; "how much it was misliked, not only with me but with sundry others, that she should bestow herself in marriage with the Duke, for that he was counted to be a Protestant; and if she ever looked to recover her estate it must be by advancing and maintaining the Catholic faith, for there ought to be no halting in those matters; and if the Duke was a sound Catholic, I would be as glad of that match as any other." — Confession of the Earl of Northumberland, June, 1572: *MSS Border.*

bale of goods was left unsold, so many eager buyers had been set upon the watch by Killegrew. The ruin of trade at least the great citizens of London saw no reason to anticipate. They might pillage Spain with impunity, and sell their wares at a profit trebled and quadrupled by the ruin in which Alva had involved the industry of the unhappy Netherlands.

The political danger Cecil thoroughly comprehended in its general bearings; though unaware of Norfolk's treachery, he understood his character too well not to suspect him. The musters were called out in the Southwestern and Midland Counties, and the officers were chosen from among those who were best affected to the Queen. As to the marriage, the genuine Protestants were instinctively opposed to it. The Earl of Huntingdon held meetings at his house to concert measures to prevent an alliance which they felt would be ruinous to them. Lord Hunsdon opposed it urgently by letters.[1] Bedford and Bacon were of the same opinion; while Clinton and Sir Francis Knollys cautioned Norfolk himself against Spanish friendship. Doctor Samson, whom Don Guerau called "the most pernicious heretic in England," addressed the Duke "as if he was an apostle of God," and commanded him to think no more of the Queen of Scots.

Sussex, on the other hand, was going with Pembroke and Leicester. They could not yet venture to speak to Elizabeth openly about it, but they approached the subject on many sides indirectly. They harped incessantly upon the danger of keeping the Queen of Scots in England. They told her she must either put her

1 "I think you are not ignorant of my opinion of that marriage. I love and honour the Duke so well as I would be right sorry it should take place, for any matter or reason I can yet conclude." — Hundson to Cecil, August 30: *MSS. Border.*

out of the way, which they knew she would not do,[1] or send her back to Scotland. Leicester and Norfolk played into each other's hands; one telling the Queen she was nursing a serpent at her bosom — the other replying that since the serpent was indisputably heir to the crown, she could be rendered harmless only by being married to an Englishman.[2] Indisputably heir to the crown — that was the fact from which Elizabeth could not extricate herself. It would have been easy for her to have said at Hampton Court in the past winter, This woman is a murderess; I have proof against her in her own hand; I will fall back on my father's will, I will appeal to Parliament to help me; she is unfit to reign and shall be no successor of mine. But she had not said this; she had evaded the plain issue, and now had no fair excuse with which to protect herself, while Mary Stuart was again openly spoken of as standing next for the throne.[3] Very angrily she complained that the Lords were setting up Absalom against David. She said she would marry — marry Leicester perhaps, to be rid of her vexation,[4] or

[1] La Mothe Fénelon au Roy, July 27: *Dépêches*, Vol. II.

[2] "El Duque le respondió que á él le parecia el derecho de la Reyna de Escocia ser sin question y que tambien le pareceria conveniente que la Reyna de Escocia se casase en Inglaterra para que en esta parte se remitiria al parecer de su Magd." — Don Guerau to Philip, August 2: *MS. Simancas.*

[3] "Esta Reyna entiende como todos los del Reyno vuelven los ojos á la de Escocia, y que ya no lo disimulan, antes la van mirando ó casi reputando como sucesora della." — Same to the same, July 25.

[4] Norfolk and Arundel were cheating Leicester with the hope that if the Scotch affair could be settled for the Duke, he and the Queen might marry. Don Guerau wrote on the 6th of September: "Tambien parece que el Conde de Leicester, con esperança que el Duque de Norfolk y sus amigos le han dado de sustentar en el grado que esta, y aun consentir que se case con esta Reyna, hace la parte del dicho Duque." Compare La Mothe to the King of France, July 27. The old stories were still current about Leicester's intimacy with Elizabeth. La Mothe says that Norfolk, at Arundel's

marry the Archduke if he was still attainable. Still the stream ran so violently that on the 27th of August a vote was carried in full Council for the settlement of the succession by the marriage of the Queen of Scots to some English nobleman; and many Peers, according to Don Guerau "the greatest in the land,"[1] set their hands to a bond to stand by Norfolk in carrying the resolution into effect. Leonard Dacres and Lord Northumberland had concerted a plan to carry off the Queen of Scots from Wingfield. Dacres had seen her and arranged the details with her. Norfolk, however, was so confident of success through the Council that he thought violent measures unnecessary. The Queen of Scots sent to ask him what he would do if Elizabeth refused to let him marry her. He said she dared not refuse, for all the Peers except a very few were determined to have it so.[2]

He and his friends had delayed their formal application for Elizabeth's consent till the arrival of Maitland; but of Maitland's coming there was no longer a

suggestion, remonstrated with Leicester about it. If the Queen wished to marry him, she should say so openly, and the Duke and his friends would countenance it — otherwise, he said, that the Queen's honour would suffer, "et le taxa de ce qu'ayant l'entrée comme il a dans la chambre de la Reyne, lorsqu'elle est au lict il s'estoit ingeré de luy bailler la chemise au lieu de sa dame d'honneur, et de s'hazarder de luy mesme de la baisser sans y estre convyé."

Leicester answered, "qu'à la vérité la Reyne luy avoit monstré quelque bonne affection, que l'avoit mis en esperance de la pouvoir espouser, y d'oser ainsy user de quelque honneste privaulté envers elle." He said he would endeavour to bring matters to a crisis. If the Queen made up her mind not to marry him he would discontinue so close an intimacy with her. "Et quoy que ce fist qu'il avoit la mesme obligation á l'honneur de la Reyne et á celle de sa couronne que ung bon vassal et conseiller doibte avoir, et que en toutes sortes il contoit plus soigneusement conserver que sa propre vie."

[1] "Los mas principales desta Isla." — Don Guerau to Philip, August 27: *MS. Simancas.*

[2] Confession of the Bishop of Ross: Murdin.

prospect. Maitland, after the breaking up of the Perth convention, called a meeting of Mary Stuart's supporters at Blair Athol; on his return to Edinburgh he was arrested by Murray on the charge of being an accomplice in Darnley's murder, and was shut up in the castle with Herries and Chatelherault.

The vote of Council made further procrastination impossible. Elizabeth was going on progress. Before the Court broke up a meeting was held in the Earl of Pembroke's rooms at Greenwich Palace, and Norfolk proposed that the whole party who were present should wait upon her in a body and make known their wishes.[1] In talking to Don Guerau the Duke was "as a lion;" at the prospect of facing his mistress he became "a hare,"[2] and wished to be backed up by the presence of his friends. But the Lords shared his alarms, and neither of them cared to encounter the wrath which would assuredly burst upon their heads. Leicester said, "he thought it not well to have it broken to her Majesty by a number, because he knew her Majesty's nature did like better to be dealt withal by one or two;" he said that he would speak to her himself if Cecil would support him; but Cecil had been absent when the vote was carried; he was not at the meeting, and no one knew what part he would take. They separated without a resolution. Norfolk was in the Queen's presence afterwards, and tried to say something; but his heart or his stomach failed him; "he fell into an ague, and was fain to get him

[1] "Fearing that the fewer they were the greater should be the burden." Confession of the Duke of Norfolk, November 10, 1571: *MSS. Queen of Scots.*

[2] "Mas liebra que leon." — Address of the English Catholics to Philip II.: *MS. Simancas.*

to bed without his dinner." [1] A few days after Elizabeth moved to Richmond, on her way to Hampshire. The Duke when he recovered from his ague followed her, and on his way up found Leicester near Kew fishing in the river. Leicester told him that the ice was broken, and he had spoken with the Queen: "some babbling women had made her Highness believe that they had intended to go through the enterprise without making her Majesty privy to it;" he had satisfied her that those tales were false and untrue; but what more was to be looked for he was unable to say.

Prudence as well as policy would have recommended the Duke at once to follow up the opening. He met Cecil at the palace. Cecil advised him to go at once to the Queen and tell her everything. "That was the best way to satisfy her Majesty and put doubts out of her mind." [2] When he could not bring himself to the point, Elizabeth herself made an opportunity for him. After a day had passed and he had said nothing, "the next morning, as she was walking in the garden, she called him to her and began merrily enquiring what news was abroad." The Duke said he had heard of none.

"None!" she asked again; "you come from London, and can tell no news of a marriage?"

He was about to throw himself upon his knees and begin, when Lady Clinton came up with a basket of flowers. The Northern Earls and Don Guerau, and the black conspiracy behind the scenes, came back upon him in the moment of enforced reflection — he shrunk away and was silent.

The time was peculiarly favourable. Elizabeth was

[1] Confession of the Duke of Norfolk. [2] Ibid.

still in the heat of her exasperation at the proceedings of the Scots at Perth, and then, if ever, she might have been tempted to consent. Leicester felt it, and came to the rescue of his friend's timidity. "One morning" afterwards, the Duke came unawares into the Privy Chamber; a child was playing on a lute; the Queen was sitting on the door-step, with Leicester at her feet pleading the Duke's cause. The Queen, as he told Norfolk afterwards, was on the point of yielding. Leicester rose and went away. She called the Duke into the room, and again waited for him to speak. But again he could not do it; after a few meaningless remarks he hastened out of her presence, and began to think, after all, that he would let Dacres carry off the Queen of Scots.

She was acute enough to understand his difficulty. There was some cause for his hesitation beyond what she or perhaps Leicester knew, and at dinner afterwards "her Majesty gave him a nip, bidding him take heed to his pillow." [1]

Yet it seemed at this moment that whatever she suspected, or whatever obvious objection she saw to the marriage, the pressure would be too heavy for her. In extreme perplexity she went down attended by the Council to Basing House, to stay with the Marquis of Winchester, and Pembroke, who was watching the fluctuations of her humour from day to day, sent word on the 3d of September to Don Guerau that she would be obliged to consent, because there was not a person of those about her who dared to give her different advice.[2]

[1] Confession of the Duke of Norfolk.

[2] "En esta hora entiendo del Conde de Pembroke que cree que la Reyna consentirá en el casamiento del Duque por no haber persona que le aconseje lo contrario." — Don Guerau to Alva, September 4: *MS. Simancas.*

The situation, with the humours, passions, and purposes belonging to it and interwoven with it, is reflected in two letters from the Spanish Ambassador to the Duke of Alva. The guard had been removed from Don Guerau's house, and the conspirators had now free access to him.

DON GUERAU TO THE DUKE OF ALVA.

"*August* 30.

"The Bishop of Ross came to me this morning with a letter of credit from the Queen his mistress. He told me in her name that in the presence of so general a desire for her marriage with the Duke of Norfolk, she was unable to refuse. The Queen of England had so far been unwilling; but in deference to the wishes of the Council she had agreed that she must be married to some Englishman or other, and when this was once done she would be restored to her crown if she had not previously been invited back by her subjects. Almost all the English nobles, the Bishop says, are of the same opinion. The Queen has offered to call a general meeting of the Peers, and take their advice upon the person to be chosen. There is an impression, however, that she is seeking delay. She is supposed to have hinted to the Duke that he must not himself think of it. He has been for some days at the Court expecting her to begin the subject with him, but so far she has said nothing. The Queen of Scots herself is in some fear that the Queen of England may be provoked by the favour shown her by so many of her subjects to procure some mischief to her person.[1] The Duke therefore, and the confederate nobles, have determined to carry her off from the place

[1] "Procuré algun daño á su persona."

where she is confined, and the Earl of Northumberland is to take charge of her in his own country. The whole of the North being at that Earl's devotion, she will be in perfect security, and the Duke and his friends meanwhile will quiet matters in Scotland, if the Regent will not consent to an agreement. All the arrangements are completed, but the Queen of Scots intends to be guided in everything by the King our master and by your Excellency, and she tells me that she will not conclude this marriage till it has received the approbation of his Majesty. This Queen set out yesterday for Basingstoke. If she had not either consented to the marriage or agreed to submit the question to the nobility before her departure, the Duke intended to leave the Court, retire into the country, and take measures to set at liberty the Queen of Scots, and accomplish the rest of his purpose." [1]

The Duke had not gone as he had threatened, but he hung about the Queen like a ghost, still silent, and irritating her as much as she frightened him. His spies were round her in her closet and her privy chamber — not a word dropped from her which he did not hear. Alarming movements, almost amounting to insurrections, were reported from the Duke's districts in Norfolk and Suffolk; and at times in her impatience she told Cecil she would send for the Spanish Ambas-

[1] Don Guerau to Alva, August 30. The Ambassador enclosed a letter from the Queen of Scots to himself, in which she prayed him "de ma part de faire entendre au Roy vostre Maître mon bon frère en quel état sont mes affaires, et nommement de l'asseurer de ma constance en la religion Catholique, et que non seulement — moyennant la grâce de Dieu — je demeureray moy mesme constante, mais que j'espere de tirer telz à mon opinion j'entens à la dicte religion Catholique, que pourryent de beaucoup servir en ses quartiers pour l'avancement d'icelle."

sador, make up her quarrels with Philip, and end her troubles so.

Had she done this Philip was ready at any moment to accept her friendship, order the Catholics into quiet, and leave the Queen of Scots to her fate.

On the 6th of September Don Guerau wrote again: —

"The Bishop of Ross has been a second time with me bringing a letter from his mistress, expressing her desire to be of use to his Majesty and to the Catholic religion. One day it seems as if the Queen of England would allow the marriage; the next she will not hear of it. Leicester is said to take the Duke's part, the Duke giving him hopes that after the expected changes he will be allowed to keep his present position and even to marry the Queen. Last Saturday the Queen of England was in such alarm that she told Leicester emphatically that the marriage between the Duke and the Queen of Scots should not be. She said that if she consented she would be in the Tower before four months were over. Norfolk has been forbidden to leave the Court, and she means to speak to him. But however it goes, as I have already told your Excellency, all is arranged in the Queen of Scots' favour, and if she is once at liberty your Excellency can make your game as you please with one Queen or the other." [1] September.

"With one Queen or the other." That only was wanting to complete the universal treachery. Norfolk was pretending an anxiety for the Reformation; and when he had gained the Queen of Scots he was going over to the Catholics. The Queen of Scots was making use of Norfolk; and when she had obtained her

[1] *MS. Simancas.*

liberty by his means, she intended, if Philip would encourage her, to leave him in the mire. The astute Spaniard, when he had placed Mary Stuart in a position to be dangerous to Elizabeth, was to play whichever card promised best to his advantage. France already had its eye on her, as a fit match, could she escape, for the Duke of Anjou. The Duke of Alva would have looked on complacently if it compelled Elizabeth to fall back upon his master.[1]

From the expression that if Norfolk married the Queen of Scots she would herself within four months be in the Tower, it was clear that Elizabeth guessed shrewdly at the Duke's real intentions. While in the extreme of perplexity, four days after Pembroke's message to Don Guerau, she heard, by some means or other, the substance of Norfolk's conversation with Murray at Hampton Court. The Duke at the close of the investigation had disclaimed to her, in the most indignant language, all intentions of forming a connection so dishonourable.[2] When she discovered that at that very moment he had been intriguing for the Queen of Scots' hand with the Regent, her worst suspicions were confirmed. The Duke had gone for a day or two to London to arrange matters, as was afterwards known, for the rescue of the Queen of Scots from Wingfield. She sent an order to him to come

1 "Es bien verdad que he descubierto que este embajador tiene intencion que si la de Escocia fuese una vez libre, procurase de casarla con el Duque de Anjou." — Don Guerau to Alva, September 4.

2 "Why," he said, "should I seek to marry her, being so wicked a woman, such a notorious adulteress and murderess? I love to sleep upon a safe pillow; and if I should go about to marry with her, knowing as I do that she pretendeth a title to the present possession of your Majesty's crown, your Majesty might justly charge me with seeking your own crown from your head." — Summary of matters wherewith the Duke of Norfolk has been charged: Murdin, p. 180.

back to her immediately. He obeyed, and she spoke to him with a sharpness which convinced him at once he had nothing to hope from her. The conditions had thus arisen under which it had been agreed that the Confederates were to take arms. The Duke left the Court without taking leave. He wrote a brief note to Cecil, in which he said he was sorry he had given offence; he trusted the Queen would learn in time to distinguish her true friends,[1] and then galloped back to Don Guerau and the Bishop of Ross. By them the signal for the insurrection was to be sent down to the North, while the Duke himself was to call into the field the gentlemen of Norfolk and Suffolk.

In the presence of immediate danger, the whole force of Elizabeth's character at once returned to her. She broke off her progress and went back on the spot to Windsor. Knowing well that if a rebellion was to break out the first move would be to carry off the Queen of Scots, doubting too, and as it seemed with reason, whether at such a moment she could trust the loyalty of Shrewsbury,[2] she despatched the Earl of Huntingdon, the one nobleman who, as a competitor for the succession, Mary Stuart especially dreaded, with a commission to take charge of her. The Earl made such haste that within six days of Norfolk's departure, heedless alike of her threats and her lamentations, he had his prisoner safe again at Tutbury, with

[1] Norfolk to Cecil, September 15, from Andover: Burghley *Papers*, Vol. I.

[2] Shrewsbury had led Mary Stuart to believe that when the movement began he would join her friends. On the 20th of September she wrote to La Mothe: — "Je ne trouve nulle constance en M. de Cherosbury à ceste heure en mon besoing pour toutes les belles parolles qu'il m'a donnée au passé." — *Dépêches*, Vol. II. p. 254.

half her train left behind at Wingfield, and a garrison in the castle of 500 men.[1]

Thus she was secure from any sudden enterprise; while with rapid change of note, Sir Henry Carey carried proposals down to Scotland, not any more for her restoration, but for replacing her in Murray's hands with security merely for her life.[2] The Earls of Arundel and Pembroke, Lord Lumley, and Sir N. Throgmorton were served with separate orders to present themselves at Windsor. They did not venture to disobey, and on their arrival they were placed under arrest in their rooms. It was ascertained that Norfolk was still in London, and a pursuivant was sent to command him on his allegiance to return again to the Court. Norfolk's "ague" had returned upon him. He announced from Howard House that he was confined to his bed, but that he would obey when his health would permit him. He had come up from Andover to Don Guerau full of sound and fury. A servant of Lord Northumberland was waiting to carry down the signal for the rising. Norfolk talked about despatching him; talked about the rescue of the Queen of Scots; talked while Huntingdon was in the saddle, and then found that he had let the opportunity escape. The northern messenger was fretting to be gone. The Duke said that he must wait to hear first from his friends. He must know what Montague would do; what Lord Morley would do; what many others would do who had promised to rise at his side. With their leader in such a humour, they would sit still if they were wise. Never was successful conspir-

[1] The Earl of Huntingdon to Elizabeth, September 21: *MSS. Queen of Scots.*

[2] Instructions to Sir H. Carey, September 21: Burghley *Papers.*

ator made of such stuff as Norfolk. Mary Stuart, in spite of Huntingdon, found means to drive a spur into his side She sent to bid him be a man, to have no fears for her, for God would care for her.[1] Had Mary Stuart been at large and in the field, there would have been a bloodier page in the history of the English Reformation. Had Norfolk stood out himself as Mary Stuart bade him, had he proclaimed himself the champion of her and of the Catholic faith, the Earl of Surrey's son, the premier nobleman of England, might have roused out of its sleep the spirit of feudal chivalry, and Elizabeth would have encountered a rebellion to which the Pilgrimage of Grace would have been child's play. But it was not in him and it could not come out of him. He had, indeed, committed himself to treason, for he had attempted, in concert with Don Guerau, to send a messenger to the Duke of Alva for assistance.[2] But here, too, the Queen had been too quick for him — the ports were closed. He could but shiver into an ague and crawl to bed till the police came to look for him.

In this condition, and unable to resolve whether to submit or to try his fortune by arms, he chose the half course which is always the more dangerous. After a hurried interview with Don Guerau, who grew cold as he saw his feebleness, the Duke sent off to Northumberland to tell him that, having missed the chance of rescuing the Queen of Scots, he would put her life in peril if he were now to rise. The insurrection, there-

1 "La Reyna de Escocia envia á decir al Duque que haga como valeroso y que de su vida no lleve cuenta, que Dios la guardara." — Don Guerau to Philip, September 30.

2 "Por la parte de la dicha Reyna de Escocia y Duque queria enviar persona al Duque de Alva, y con estar los puertos cerrados no ha sido aun possible." — Ibid.

fore, must at all hazards be postponed. Having assumed the responsibility of preventing his friends from moving, he ought then to have taken the consequences upon himself, and to have returned to the Court But he preferred to take refuge among his own dependants. He believed that the Queen would not venture to send for him among a people who would have given their lives had he required them in his defence. He stole out of London and went down to Keninghall, and thence he wrote a letter to her as mean as it was false. "He grieved to hear that her Majesty was displeased with him," he said: "he took God to witness that he had never entertained a thought against her Highness, her crown or dynasty;" but "finding cold looks at the Court, and hearing that he was to be sent to the Tower, he feared that he would not be able to show his innocence to her Majesty, and therefore had preferred to withdraw." "Thus much I protest to your Majesty," he dared to say; "I never dealt in the Queen of Scots' cause further than I declared, nor ever intended to deal otherwise than I might obtain your Highness's favour so to do."[1]

The confidence in the Duke's substantial loyalty was still almost universal.[2] Elizabeth knew too much to feel any such assurance. She was determined to get to the bottom of the mystery. She sent an express to Tutbury to say that the Duke having withdrawn to Keninghall, and there being some uncertainty of his

[1] Norfolk to Elizabeth, September 24, from Keninghall: Burghley *Papers*, Vol. I.

[2] On the 18th of September Hunsdon wrote to Cecil "that he was right glad her Majesty did so mislike the marriage. Whoever began it meant not faithfully to her Majesty nor friendly to the Duke. It had been long brewing and there had been strange dealing, but he did not doubt the Duke would show himself an obedient subject." — Ibid.

meaning, Lord Huntingdon must look well to his charge, and see that she did not slip through his hands. He might tell the Queen of Scots that no harm was intended towards her; she would yet receive "more good than it was thought she had deserved;" but he must examine her coffers and her servants' boxes, and send all the papers that he could find to the Court.[1] Mary Stuart had taken the precaution to burn her letters before she left Wingfield, Lord Shrewsbury, for his own sake perhaps, having given her the opportunity. The Earl's followers were rude chambergrooms, and had not cared before entering the Queen of Scots' apartments to take the pistols out of their belts. She was furious at the insult. She protested, as usual, that she had done nothing to deserve suspicion.[2] She stormed at Huntingdon, and said she would make him feel what her credit was in England.[3] It was like handling a wild cat in a cage, and the Earl could but pray God to "assist her Majesty and her Council with the spirit of wisdom and fortitude of mind, which two things were necessarily required, considering the person they had to deal with."[4]

The search of course had been vain, and so far there was nothing against Norfolk but presumption from his own conduct. A Queen's messenger followed him to Keninghall with a command that "without manner of excuse" he should return immediately. Had he obeyed, he would have probably fared no worse than his companions in the Council, and he

1 The Queen to Huntingdon, September 25: *MSS. Queen of Scots.*

2 "She took grievously our search, pleadeth greatly her innocency to the Queen's Majesty, of whose dealing to her she speaketh bitterly."—Huntingdon to Cecil, September 27: Burghley *Papers*, Vol. I.

3 Same to the same, October 10: Ibid.

4 Ibid.

might have succeeded after all. "There is a great change," Don Guerau wrote. "The complaints are loud against Cecil, who has manœuvred with astonishing skill. I know not what will happen. I can only say that with the party which the Duke commands in the country he can only fail through cowardice."[1] The Duke thought so too, and at Keninghall, where his anterooms were thronged with knights and gentlemen, all hanging upon his word, his courage came back to him. He refused at first to see the messenger. He said he was too ill to leave his house. If the Queen would send a member of the Council to him, he would answer her questions where he was.

But again after a day or two his heart failed him. A message came to him from Leicester, that he had nothing to fear from submission. If he persisted in disobedience he would be proclaimed a traitor. He would then have to commit his fate to the chances of civil war, and he persuaded himself that he would compromise the Queen of Scots.[2] His illness had no existence except in his alarms. The messenger had lingered waiting for his final resolution; he withdrew his answer and made up his mind to return. His friends and servants, clearer-sighted than himself, entreated him not to leave them. They held him by the knees, they clung to his stirrup-leathers as he mounted his horse, crying that he was going to the scaffold. But his spirits were gone. With a handful of attendants[3] he rode back to London, and from

October.

[1] "No se lo que sucedera. Entiendo que segun los amigos que el Duque tiene en el Reyno no puede perderse sino por pusillanimidad." — Don Guerau to Philip, September 30.

[2] "O como dice por escusar el evidente peligro de la de Escocia que esta en poder de sus enemigos." — Same to the same, October 8.

[3] "Dexando los pensamientos de rompimiento por ahora se vinó con pocos caballos." — Ibid.

thence he was proceeding to Windsor, when he was met a few miles distant by an intimation that he was a prisoner, and must remain in charge of Sir Henry Neville, at Mr. Wentworth's house at Burnham.

Elizabeth, who had heard of the attitude which he had assumed in Norfolk, talked of placing him on his trial for treason. But such a challenge to the Peers was as yet too perilous an experiment, and Cecil's prudence interposed. He wrote rather than spoke to Elizabeth, because he had things to say which he intended for herself alone, and his letter remains to show the calm wisdom with which he controlled her passion. "No true councillor of her Majesty," he said, "could be without grief to see the affairs of the Queen of Scots become so troublesome to her;" nevertheless he thought she was more alarmed than the occasion required. "The case was not so terrible as her Majesty would have it." "The Queen of Scots would always be a dangerous person to her, but there were degrees by which the danger might be made more or less. If she would herself marry, it would diminish; if she remained single, it would increase. If the Queen of Scots was kept a prisoner, it would diminish; if she was at liberty, it would be greater." "If the Queen of Scots was manifested to be unable by law to have any other husband than Bothwell while Bothwell lived," it would diminish; if she was declared free, it would be greater. If "she was declared an offender in the murdering of her husband, she would be less able to be a person perilous; if her offence was passed over in silence, the scar of the wound would wear out." So much for the Queen of Scots. For the Duke of Norfolk, and for her Majesty's intentions towards him, she must remember that there were as yet no proofs against him,

"and if he was tried and not convicted, it would not only save but increase his credit." The Duke's offence, so far as could be seen at present, did not "come within the compass of treason," "and better it were in the beginning to foresee the matter than to attempt it with discredit, not without opinion of evil will or malice." He sent Elizabeth a copy of the statute of Edward III. He recommended that in the enquiry into Norfolk's behaviour the word treason should not be mentioned. "Better," he said, half in irony — "better marry the Duke to somebody. Provide him with a wife and his hopes of the Scotch Queen will pass away." [1]

Elizabeth was but half convinced. On the 8th of October an order was made out to Sir Francis Knollys to take charge of the person of the Duke of Norfolk and conduct him to the Tower.[2] He was taken by surprise. He had communicated since his arrest with Don Guerau, under the impression that he was too large a person to be rudely handled, and still talking of changing the government and overthrowing Cecil. He believed himself to be popular in London. He had persuaded himself that the Queen could not risk the danger of sending him under a guard through the streets.

Don Guerau thought that he was mistaken. Though he regarded the heretics as children of hell, he respected their courage, nor did he expect, since the success at Hamburgh, that the city would be disturbed. The Government, to incur no unnecessary risk, sent the prisoner by water from Windsor. The banks be-

[1] Cecil to Elizabeth, October 6, 1569. Endorsed, "My advice to Her Majesty in the Duke of Norfolk's case": *Cotton MSS., Calig. C.* 1.

[2] Commission to Sir F. Knollys, October 8: *MSS. Domestic.*

tween Westminster and London bridge were lined with crowds, who, according to La Mothe, were vociferous in their expressions of displeasure, but there was no attempt at rescue ; and when the Tower gates closed behind the head of the English nobility, no party in the country felt less pity for him than those whose fine-laid schemes he had played with and ruined by his cowardice.

On the 8th of October Don Guerau wrote to Philip : —

" The Earls of Northumberland, Westmoreland, Cumberland, and Derby — the whole Catholic body — are furious at the timidity which the Duke has shown. The Earl of Northumberland's servant who was here a while ago about this business, has returned to me, and I have letters also in cipher from the Bishop of Ross. The sum of their message to me is this, that they will take forcible possession of the Queen of Scots. They will then make themselves masters of the Northern Counties, reëstablish the Catholic religion, and restore to your Majesty whatever prizes taken from your Majesty's subjects now in the harbours on these coasts. They hope that when the Queen of Scots is free they may be supplied with a few harquebussmen from the Low Countries. I have referred their request to the Duke of Alva." [1]

[1] *MS. Simancas.*

CHAPTER XVIII.

The Duke of Norfolk was in the Tower; Pembroke, Arundel, Throgmorton, and Lumley were under arrest at Windsor; Leicester alone, of the party about the Court who had been implicated in the marriage intrigue, had run for harbour, when he saw the storm coming, and had escaped imprisonment. But the revelation of so dangerous a temper so close at her own door, however veiled it might be under professions of fidelity, and the sudden breach with half her first advisers, who for ten years had stood loyally at her side, had shocked Elizabeth inexpressibly. The composing language of Cecil failed to quiet her. So furious was she with Norfolk, that in the intervals of hysterics, she said that, "law or no law," "she would have his head."[1] She was distracted with the sense of dim but fearful perils overshadowing her, which she felt to be near but could not grasp; and forever the figure of the prisoner at Tutbury floated ominously in the air, haunting her dreams and perplexing her waking thoughts. The ingenuity with which she had tempted Murray to produce the casket had failed of its purpose. The Peers, as well as the Council, had seen the damning proofs of Mary Stuart's guilt; not one among them had pretended to believe her innocent; yet so terrible to the mind of England was the

[1] "Allez, dict elle; ce que les loix ne pourront sur sa teste, mon authorité le pourra." — La Mothe au Roy, October 28: *Dépêches*, Vol. II.

memory of York and Lancaster, that, to escape a second war of succession, they were ready to condone the crimes of the second person in the realm; and one of them, the highest subject in the land, was willing to take the murderess to his bed. It was too late now for Elizabeth to throw herself upon the world's conscience, publish the letters, and declare her rival infamous. The Peers who, for very shame in the past winter, would have been compelled to consent, would now refuse to set their hands to her condemnation, and a proclamation unsupported by names which would be open to no suspicion, would no longer carry conviction to the people.

In August, chafed by the demands of the Court of France, irritated at the ferment at the Court, and at the consciousness that half her present vexations were her own work, through her refusal to marry the Archduke; half regretting, now when it was too late, that she had thrown away an opportunity which would have pacified legitimate discontent,[1] she was on the point of making a victim of the Earl of Murray, breaking her solemn promise, and forcing back upon him the sovereign whom only she had induced him to accuse.

She was now frightened into a recollection of her obligations. She discovered that the matter which had been proposed by her "was very weighty," that Murray's answer "had been with great deliberation

[1] "If the Queen's Majesty had in time married with the Archduke Charles, wherein you write she now uttereth her disposition, it had been the better way for her surety. But that matter hath been so handled as on the one side it is desperate that her Majesty will bonâ fide intend to marry, and on the other side it is doubtful whether upon the hard dealings past she may be induced to any further talk thereby. God work in her heart to do that may be most for her honour and surety." — **Sussex to Cecil, October 11:** *Cotton MSS., B. M.*

conceived, and carried with it much reason." [1] But the difficulty of the Queen of Scots' presence was none the less embarrassing. She could trust no one since the rupture in the Council but Cecil and two or three more. Lord Shrewsbury was now suspected for those Catholic tendencies on account of which he had been selected as the Queen of Scots' guardian; but the substitution of Huntingdon, though necessary for her immediate safety, had been received with strong expressions of displeasure by the ambassadors of the Catholic Powers. She had offended a powerful English nobleman, and it was to no purpose that she pretended that her motive in making the change had been Lord Shrewsbury's ill health. The Earl demanded as a point of honour that the prisoner should be restored to his custody; [2] and, although the danger of escape was notoriously increased, the Queen could not afford to alienate a tottering loyalty, and with the advice of Huntingdon himself, she consented.[3]

Again, therefore, there was an anxious consideration of the steps to be taken; and again, the private papers of Cecil reveal the most secret thoughts of the Court. One short road there was. The past reigns afforded many precedents for the treatment of pretenders to the crown. The Queen "might do that which in other times kings and princes had done by justice — take the Queen of Scots' life from her;" [4] or, if this was too severe a measure, she might keep her in strait

[1] Elizabeth to Murray, October 23: *MSS. Scotland.*

[2] Correspondence between Shrewsbury, Huntingdon, and Cecil, October 1569: *MSS. Queen of Scots.*

[3] "Han quitado al Conde de Huntingdon de la guarda de la de Escocia que sera ya gran comodidad. La guarda del Conde de Shrewsbury no siendo tan estrecha hay grande comodidad de darle libertad." — Don Guerau to Philip, November 20: *MS. Simancas.*

[4] Notes in Cecil's hand, October, 1569: *Cotton MSS., B. M.*

prison till her health failed and she died, as poor Catherine Grey had died. But "her Majesty," who had shown no pity to the innocent wife of Lord Hertford, affected to "dread the slander to herself and the realm;" she found "her disposition was to show clemency, and she would not by imprisonment or otherwise use that avenge."

There remained therefore three possibilities: either to keep her in England as the unwilling guest of Lord Shrewsbury, prevented from escaping, but with no further restrictions upon her enjoyments and her exercise; or to let her go to France; or, finally, to send her back to Scotland as a prisoner.

The second could not be thought of. "It was in France that she did first pretend and publish her title to the Crown of England: she continued in the same mind, and no place could serve her better to prosecute still the same intentions."

In England, unless she was restricted from all communication, she would be the focus of perpetual conspiracy. "The number of Papists," in Cecil's judgment, "was constantly increasing." A large party in the State, "Papists, Protestants, and Neutrals," were "inclined from worldly respects," in consequence of the Queen's refusal to marry, to favour the Scottish title. The conspiracy in the Council had arisen from a craving "for the certainty of some succession," and for a union of the island under one sovereign. Every person in the country, who was discontented "either from matters of religion, court neglect, or poverty, or other causes," would take the side of the Queen of Scots for the mere hope of some change. Her presence in the realm would be a perpetual temptation. Her person, except as a close prisoner, could not be

effectively secured. She might escape, she might be carried off, or her keepers might be corrupted. The foreign Courts would never cease to worry the Queen with requests for her release. She might contract herself to some Prince who would demand her as his wife, and a refusal to part with her might be construed into an occasion of war. "Being in captivity," she would be increasingly commiserated; "her sufferings more lamented than her fault condemned." "The casualty of her death by course of nature would be interpreted to the worst." The Queen's own health "might be worn away with perpetual anxiety," and should she die suddenly, with the succession unprovided for, the consequences could not fail to be most dreadful.[1]

The arguments, so far, pointed to the replacing Mary Stuart in the condition from which she had escaped in her flight from Lochleven, with this difference only, that Murray and Murray's party would be required to give hostages for the security of her life, and for her safe keeping during Elizabeth's pleasure.

Yet this measure, too, was not without its objections. If Murray died or was murdered, it was uncertain whether his party would be strong enough to hold her. She might escape as she escaped before. The Catholic Powers would have as many motives as ever for interference, and she herself "would be the bolder to practise being then in prison, because she would think her life in no danger through the hostages in England." There would be the same peril of her contracting a marriage abroad; while, should her own friends in Scotland gain the upper hand, she would be restored to the government; the Protestant religion would be

[1] Notes in Cecil's hand, October, 1569: *Cotton MSS.*, *B. M.*

suppressed, and the two countries relapse into their old hostility. The great point was to hold her fast, and this could be done more easily in England than in Scotland. The government of the young King could then be firmly established, and should France or Spain "attempt anything for her," while she was in the Queen of England's hands, "her Majesty might justly, if she was thereto provoked, make an end of the matter by using extremity on her part." [1]

The reasoning on both sides was so evenly balanced that either Cecil's mind wavered, or else his own judgment pointed one way and Elizabeth's wishes the other.[2] At last, however, a further suggestion presented itself. The root of Elizabeth's difficulties had been, first, her unnecessary interference to prevent the Scots from trying their Queen for the murder, and,

[1] Notes in Cecil's hand, October, 1569: *Cotton MSS., Calig. B. M.*

In a letter said to have been written by Leicester in 1585 there is a statement that in the autumn of 1569, in consequence of the discovery of Mary Stuart's intrigues, "the Great Seal of England was sent down and thought just and meet upon the sudden for her execution." The letter is printed by Mr. Tytler, *History of Scotland*, Vol. VII. p. 463, and the fact is by him assumed to be true. The records of this year are so complete, the changing feelings, the perplexities, the hesitation of the government are so copiously revealed in the loose notes of Cecil, that it is hard to understand how a resolution of so much magnitude could have been arrived at without some definite trace of it being discoverable. The contingency of the Queen of Scots' execution was obviously contemplated as not impossible; but in the absence of other evidence it is more likely either that Leicester, writing sixteen years after, made a mistake in the date, or that an error has crept in through transcribers. The original of the letter, I believe, is no longer extant.

[2] In following Cecil's papers there is always great difficulty in distinguishing his own opinions from the Queen's. Letters in his hand were often written by him merely as Elizabeth's secretary and against his own judgment. They were frequently accompanied by private communications from himself, in which he deplored resolutions which he was unable to prevent. In the present instance there are many papers all in the same hand, all written within a few days of each other, pointing to different conclusions.

secondly, her want of courage in publishing the results of the investigation at Hampton Court. She could no longer do this herself, but the public disgrace would be equally insured, if the Scots were now allowed to do what before they desired to do, if Mary Stuart was replaced in their hands, and was brought publicly to the bar in her own country.[1] It has been already mentioned that Sir H. Carey had been sent down to consult the Regent. This plan it is at least likely he was secretly instructed to propose.

Meanwhile Cecil set himself to discover whether Norfolk's conduct had further bearings than as yet he knew of. His position was critical in the extreme. Half the Council — the Reactionaries, Conservatives, Moderates, Semi-Catholics, or by whatever name they may be called — were in disgrace. Leicester, then as ever useless for any honourable purpose, was a dead weight upon his hands, and he was left alone with those who along with himself were dreaded as the advocates of revolution — the Lord Keeper, the Earl of Bedford, Sir Walter Mildmay, Sir Francis Knollys, and Sir Ralph Sadler. These half-dozen men, among whom Bedford alone possessed pretensions to high birth, had to undertake the examination of the noblemen who had so lately sat at the same table with them. The first interviews were said to have been sufficiently stormy.[2] Pembroke avowed his desire for the Norfolk marriage, and did not shrink in any way from the re-

This was certainly thought of, although it does not appear among Cecil's notes. Sir Henry Neville writing to him on the 4th of October says: "The trial of the murder must needs be a safety unto the Queen, and such a defacing unto the other as I think will pluck away that love that all your other devices will not." — *Domestic MSS., Rolls House.*

[2] "Pasaron entre ellos muchas palabras de passion." — Don Guerau to Philip, October 8: *MS. Simancas.*

sponsibility of having advised it. So far as the Lords had acted together, they had done nothing which could be termed disloyalty. Cross-questioning failed to draw anything from them which incriminated the Queen of Scots,[1] and Pembroke both with success and dignity defended the integrity of his own intentions.[2] But he said that he was contented to submit to the Queen's pleasure, and it was not Cecil's policy to press upon him. None better understood than he how to build a bridge for men to retreat over out of a false position. The Bishop of Ross declared that "he had never dealt with any other except such as had credit with the Queen."[3] Cecil, who had not yet learned the Bishop's power of lying, let the answer pass. To extract truth from Leslie required sharper handling than words.

Conciliation, except with the two chief offenders, was the order of the day. Traces, though indistinct, had been found of the hand of Ridolfi. He was confined, rather as a guest than as a prisoner, in the house of Walsingham, and was desired to place in writing as much as he knew of a Catholic conspiracy. But the questions put to him were insignificant and easily evaded. His house was searched without his knowledge, but he had concealed or destroyed all his

[1] "La mayor fuerça de la probança tiraba á culpar la de Escocia, á la qual descargáron todos como era justo." — Don Guerau to Philip, October 8: *MS. Simancas.*

[2] "In those conferences that I have been at of the Queen of Scots' marriage it is not unknown to you, my Lord of Leicester and Mr. Secretary, to whose knowledge in this behalf I appeal, with what earnestness I have always protested with my life, lands, body, and goods, the maintenance of God's true religion now established by her Majesty, and the conservation of her Majesty's person, quiet, estate, and dignity against all the attempts — yea, or motioners, of the contrary." — Pembroke to the Council, October, 1569.

[3] Examination of the Bishop of Ross, October 10: Burghley *Papers*, Vol. I.

important papers; and so little suspicion had the Queen of the nature of the person that she had in her hand, that when he was released from arrest, she consulted him about the Spanish quarrel, and "desired his secret opinion" as to the best means of accommodating her differences with Philip.[1]

Against Norfolk the Queen was still violently angry. Although she had no proof that he had meditated treason, she felt instinctively that she could not trust him. He wrote repeatedly to her, insisting upon his loyalty, and "taking God to witness he never thought to do anything that might be disagreeable to her good pleasure:" but fine phrases of this kind had lost their power; Cecil's plan of rendering him harmless by providing him with another Duchess was seriously contemplated; and it was intimated to him, that at all events he would not leave the Tower till he had given a promise in writing to think no more of the Queen of Scots.

The Duke's friends in the Council had abandoned their project sincerely. The Duke himself had no intention whatever of abandoning it. The great Catholic party was still entire. The mine which they had dug was still loaded, and the hope of foreign assistance as strong as ever. The Duke still expected that he would reap the fruit of all this, and least of all would he part with his hope of Mary Stuart. But he desired to recover his liberty. Lies cost Norfolk nothing. He was ready to say whatever would answer his purpose. He feared only that if he gave the Queen the promise which she demanded from him, Mary Stuart herself might take him at his word, or the Bishop of

[1] Leicester and Cecil to Walsingham, October 7, October 19 October 23: *Domestic MSS.*

Ross perhaps, in irritation at his apostasy, might tell secrets which would be dangerous to him if revealed. He drew up therefore, in the most complete form, the required renunciation; he gave emphasis to his professions by the most elaborate asseverations of good faith; and while he sent the original of this document to Elizabeth, he forwarded a copy of it to the Bishop of Ross, desiring him to tell his mistress, that he had yielded only in order to escape from the Tower, and that he had no intention of observing an engagement which had been extorted from him by violence.[1]

Could Norfolk have known the supreme willingness with which Mary Stuart had been ready to throw him over, should it suit her convenience to do so, he would have been less ready to lie for her. His late imbecility had not raised him in her good opinion; but as he might still be useful, she flattered him into the continuance of his folly; and both he and she, while they besieged Elizabeth with protestations of their honesty, fed in secret upon visions of coming triumph when Alva's legions would land at Harwich or in Scotland, and every Catholic in the island would spring into the field to join them.

But if either these hopes were to be realized or their professions successfully maintained, it was necessary to prevent the Northern Counties from exploding into

[1] "One great fault I committed. When I should send in my submission to her Majesty, thinking that it would not long be kept close but go abroad, fearing that if it should come to the Bishop's ears he would in a rage accuse me of my writings, — to prevent the same I sent the copy of it to him, to see, before I sent it to her Majesty, saying that necessity drove me to signify this or else I was like to lie here while I lived; and therefore I desired him that he would not mislike thereof, and that he would also write to the Queen of Scots in that behalf that I did it of necessity and not willingly. I, trusting in worldly policy, have sped like a mired horse — the further he plungeth the further he is mired." — Confession of the Duke of Norfolk: *MSS. Mary Queen of Scots.*

premature rebellion; and this might prove less easy than Norfolk wished. For years past — from the day of her return from France to Holyrood — Mary Stuart had been in correspondence with the gentlemen of Yorkshire and Northumberland. The death of Darnley had cooled their passion for her, but when she came to England she soon "enchanted" them again "by her flexible wit and sugared eloquence."[1] Before Sir Francis Knollys cut short her levées at Carlisle, they had listened in hundreds to her own tale of her wrongs, and besides their religion and political predilections for her, they had been set on fire with a chivalrous enthusiasm for the lovely lady who was in the hands of the magicians.

When she was removed from Carlisle to Bolton, the gates of Scrope's castle were usually thrown open to the neighbourhood, and the eager knights-errant had free access to her presence. When at times she was thought likely to attempt an escape and the guards were set upon the alert, loyalty, like love, still found means to penetrate the charmed circle. Every high-spirited young gentleman, whose generosity was stronger than his intelligence, had contrived in some way to catch a glance from her eyes and to hear some soft words from her lips, and from that moment became her slave, body and soul.

Conspicuous among these youths were the Nortons, of whom the reader has heard as the intending assassins of the Earl of Murray.

The father, Richard Norton, was past middle life at the time of the Pilgrimage of Grace. It may be assumed with confidence that he was one of the thirty thousand troopers who followed Robert Aske from

[1] Notes in Cecil's hand, October 6: *Cotton MSS., Calig. C.* 1.

Pomfret to Doncaster behind the banner of the Five Wounds of Christ. Now in his old age, he was still true to the cause. He had been left like a great many others unmolested in the profession and practice of his faith; and he had bred up eleven stout sons and eight daughters, all like himself devoted children of Holy Church. One of these, Christofer, had been among the first to enroll himself a knight of Mary Stuart. His religion had taught him to combine subtlety with courage; and through carelessness, or treachery, or his own address, he had been admitted into Lord Scrope's guard at Bolton Castle. There he was at hand to assist his lady's escape, should escape prove possible; there he was able to receive messages or carry them; there, to throw the castellan off his guard, he pretended to flirt with her attendants, and twice at least by his own confession, closely as the prisoner was watched, he contrived to hold private communications with her.

The scenes which he describes throw sudden and vivid light upon the details of Mary Stuart's confinement. The rooms occupied by her opened out of the great hall. An antechamber and an apartment beyond it were given up to her servants. Her own bedroom, the third of the series, was at the farther extremity. A plan had been formed to carry her off. Lady Livingstone was to affect to be in love with young Norton, and had pretended to promise him a secret interview in the twilight outside the moat. The Queen was to personate the lady, and she and the cavalier were to fly together. It was necessary that Norton should see Mary Stuart to direct her what she was to do. He was on duty in the hall. By a preconcerted arrangement, a page in the anteroom took liberties

with one of the maids. There was much screaming, tittering, and confusion. Norton rushed in to keep the peace, and, sheltered by the hubbub, contrived to pass through and to say what he desired. The scheme, like a hundred others, came to nothing; but as one web was ravelled out, a second was instantly spun. Another time Mary Stuart had something to say to Norton; and this scene — so distinct is the picture — may be told in his own words: —

"One day when the Queen of Scots, in winter,[1] had been sitting at the window-side knitting of a work, and after the board was covered, she rose and went to the fire-side, and, making haste to have the work finished, would not lay it away, but worked of it the time she was warming of herself. She looked for one of her servants, which indeed were all gone to fetch up her meat, and, seeing none of her own folk there, called me to hold her work, who was looking at my Lord Scrope and Sir Francis Knollys playing of chess. I went, thinking I had deserved no blame, and that it should not have become me to have refused to do it, my Lady Scrope standing there, and many gentlemen in the chamber, that saw she spake not to me. I think Sir Francis saw not nor heard when she called of me. But when he had played his mate, he, seeing me standing by the Queen holding of her work, called my captain to him and asked him if I watched. He answered sometimes. Then he gave him commandment that I should watch no more, and said the Queen would make me a fool."[2]

How full of life is the description! The castle hall,

[1] 1568–69.

[2] Confession of Christofer Norton, April, 1570: *MSS Domestic, Rolls House.*

the winter day, the servants bringing up the dinner, the game at chess, and Maimouna, with her soft eyes and skeins of worsted, binding the hands and heart of her captive knight. Two years later the poor youth was under the knife of the executioner at Tyburn.

And such as Norton was, were a thousand more who hung about Bolton, Wingfield, Tutbury, wherever Mary Stuart was confined, lying in wait for a glimpse of her as she passed hunting, surrounded by her guards, or watching at night among the rocks and bushes for the late light of the taper which flickered in her chamber windows.[1]

And now all these youths, through the summer of 1569, had been fed with the hope that their day was coming, when either the noblemen of England united in Council would force the Queen to set her captive free, or they themselves, her glorious band of deliverers, were to burst the walls of this prison and bear her away in triumph. The adhesion of the Duke of Norfolk to their party, coupled with some uncertainty among themselves, had modified their original programme. The Duke having a large party among the Protestants,[2] they intended to say nothing about religion till they had used their help and could afford to show their colours. The pretext for the rising was to be the liberation of Mary Stuart, the establishment of the succession in her favour, and the removal of evil councillors about the Queen.[3] The signal for rebellion was to be the withdrawal of the Duke of Norfolk from the Court. The Earls of Westmoreland and North-

1 One of Mary Stuart's peculiarities — a remarkable one in those times — was that she seldom went to bed till one or two in the morning.

2 "Car infinis Protestants sont pour le Duc." — La Mothe to the King, October 8.

3 Confession of the Earl of Northumberland: *Border MSS.*

umberland and Leonard Dacres were then to take the field, while Norfolk, Arundel, Montague, Lumley, and the rest of the confederates were to raise the East and the South.[1] Confident in their own strength, confident in the seeming union of three quarters of the nobility, confident in the provisions which the Spanish Ambassador had made in Alva's name and which Alva intended to observe so far as he might find expedient, they believed that they had but to show themselves in arms, for all opposition to go down before them.

The whole scheme had been thrown into confusion by the irresolution of Norfolk. Leonard Dacres, Westmoreland, old Norton, and a number of gentlemen, were collected at Lord Northumberland's house, at Topcliff, waiting for news from London. The Duke, in the short fit of courage which returned to him at Keninghall, had sent to Northumberland to say "that he would stand and abide the venture and not go up to the Queen."[2] They were expecting every moment to hear that the Eastern Counties had risen, when one midnight, at the end of September, they were roused out of their sleep to be told that a messenger had come. It was a servant of Norfolk's. He would not come to the house, but was waiting "a flight shot from the park wall." Westmoreland went out to him and came back presently to say "that the Duke, for the brotherly love they bore him, begged them not to stir or he would be in danger of losing his head."

The preparations for the rising were so complete that there was scarcely a hope that their intentions could be concealed. Dacres and Northumberland,

[1] Confession of Thomas Bishop, May 10, 1570: *MSS. Hatfield.*
[2] Confession of the Earl of Northumberland: *MSS. Border.*

"seeing small hopes of success, were desirous to put off the matter," but many of the gentlemen being "hot and earnest," cursed the Duke and their unlucky connexion with him, and, careless whether he lived or died, "resolved to stir notwithstanding." The Lords were obliged to seem to yield. As Norfolk had turned coward, they were no longer tied by other considerations: they could now change their cry; and when Westmoreland enquired what "the quarrel was to be?" there was a general shout, "For religion."

Lord Westmoreland made an objection curiously characteristic of the times.

"Those," he said, "that seem to take that quarrel in other countries are counted as rebels, and I will never blot my name, which has been preserved thus long without staining."[1] "A scruple" rose, "whether by God's law they might wage battle against an anointed Prince, until he or she was lawfully excommunicated by the Head of the Church."

Three priests were present, to whom the question was referred. One, a Doctor Morton, by whom Northumberland had been reconciled two years before, said that, as the Queen had refused to receive the Pope's Nuntio, she was excommunicated then and there by her own act. The other two thought direct rebellion unlawful "until the sentence had been orderly published within the realm."[2]

The Earls might have been pardoned for not anticipating the weakness of Norfolk; they were inexcusable in not having discovered beforehand the condition of Catholic opinion on a point so vital. The party broke up with this new element of disunion among

[1] Confession of the Earl of Northumberland: *MSS. Border.*
[2] Ibid.

them. They agreed that at least for the present they must remain quiet; and Northumberland sent Sir Oswald Wilkinson to the Spanish Ambassador to ascertain more certainly what they were to look for from Flanders.[1] So October passed away, bringing with it, unfortunately, a fresh defeat of the Huguenots at Moncoutour to excite the Catholics, while at the same time an unexpected commission of an alarming kind came over from Brussels. The Spanish Ambassador had been released from restraint, and Elizabeth had given him to understand that if some person was sent to her with powers direct from the King of Spain, she would treat for the restoration of the money. Such a person was now announced to be coming, bearing, as she desired, a commission from Philip; but the minister selected for the mission was the ablest officer in the Duke of Alva's army, Chapin Vitelli, Marquis of Chetona. Why a soldier had been chosen for a diplomatic embassy was a mystery which misled alike the Court and the Catholics. In reality the Duke of Alva, finding a large responsibility thrown upon him by Philip, and ignorant how far he could depend upon the representations of Don Guerau and his friends, desired to have some professional opinion on the relative strength of the Queen and the Catholics. Chapin was sent over to negotiate — should negotiation prove possible — with all sincerity. If any disturbance broke out, he was to avail himself of it to obtain better terms for his master; but he was not intended to take part actively under any circumstances, and was merely to use his eyes in case ulterior measures should be eventually necessary.[2] The heated imagination of the

[1] Confession of Oswald Wilkinson: Murdin.

[2] That the hopes held out by Don Guerau to the Catholics were not as

Catholics, however, saw in him the herald of the coming army of liberation. The news spread over the kingdom, and the fire which was beginning to smoulder shot again into a blaze. The impression was confirmed by the great anxiety of the Court. Sixty gentlemen who attended Chapin from Flanders were detained at Dover, and he was allowed to take on with him no more than five attendants;[1] while owing to the suspension of the more moderate element in the Council, a step was taken which, though often threatened, had been hitherto delayed by the influence of Pembroke and Arundel. The Act of Uniformity was at last to be enforced, and every magistrate in the kingdom was to be required to subscribe to an obligation to maintain the law, and himself to set an example of obedience by attendance at church.[2]

yet to be fulfilled is perfectly clear from a letter written by Philip during the autumn. Speaking of the proposed insurrection and the overtures of the Catholics to Don Guerau, Philip says: —

"No se puede ni debe tratar dello hasta ver al fin que tiene la negociation que se trae sobre restitucion de lo arestado, que si sucede como se pretende, por mi parte no se dejará de levantar adelante la antigua amistad que mis pasados y yo habemos tenido con esa corona: pero no se haciendo así, ya entonces seria menester tomar otro camino, y para tal caso es muy conveniente que vos me vais siempre avisando como lo haceis."

Philip was just then troubled with an insurrection of the Moors, and having Flanders on his hands also, was most unwilling to add to his embarrassments. The English Catholics might rebel if they pleased. If they could overthrow Elizabeth without assistance from himself, he would be very well satisfied, and if vague promises held out in his name encouraged them to rebel, the insurrection would at least incline Elizabeth to come to terms with Spain.

[1] La Mothe to the King, October 8.

[2] Form to be subscribed by all magistrates. Addressed to the Lord Keeper.

"Our humble duties remembered to your Lordship. This is to signify that we whose names are by ourselves underwritten do acknowledge that it is our bounden duty to observe the contents of the Act of Parliament entitled An Act for the Uniformity of Common Prayer and Service in the

The ecclesiastical arrangements everywhere were in extreme confusion; and the principles of Anglicanism had been worked with extreme looseness.[1]

Church and the Administration of the Sacraments. And for observation of the same law we do hereby formally promise that every one of us and our families will and shall repair and resort at all times convenient to our parish church, or upon reasonable impediment, to other chapels or places for the same common prayer, and there shall devoutly and duly hear and take part of the same common prayer and all other divine service, and shall also receive the Holy Sacrament from time to time according to the terms of the said Act of Parliament. Neither shall any of us that have subscribed do or say or assert, or suffer anything to be done or said by our procurement or allowance, in contempt, lack, or reproof of any part of religion established by the foresaid Act." — *MSS. Domestic*, November, 1569.

[1] In connexion with the bond of the magistrates, reports were sent in of the condition of different dioceses. The following account of the diocese of Chichester may perhaps be an illustration of the state of the rest of the country. Sussex being a southern county was one of those where the Reformation was supposed to have made most progress.

Disorders in the Diocese of Chichester, December, 1569.

"In many churches they have no sermons, not one in seven years, and some not one in twelve years, as the parishes have declared to the preachers that lately came thither to preach. Few churches have their quarter sermons according to the Queen Majesty's injunctions.

"In Boxgrave is a very fair church, and therein is neither parson, vicar, nor curate, but a sorry reader.

"In the Deanery of Medhurst there are some beneficed men which did preach in Queen Mary's days, and now do not nor will not, and yet keep their livings.

"Others be fostered in gentlemen's houses, and some betwixt Sussex and Hampshire, and are hinderers of true religion and do not minister. Others come not at their parish church nor receive the Holy Communion at Easter; but at that time get them out of the country until that feast be passed and return not again until then.

"They have many books that were made beyond the seas and they have them there with the first; for exhibitioners goeth out of that shire and diocese unto them beyond the seas. As to Mr. Stapleton, who, being excommunicated by the Bishop, did fly and avoid the realm, these men have his goods and send him money for them.

"In the church of Arundel certain altars do stand yet still to the offence of the godly which murmur and speak much against the same.

"They have yet in the diocese in many places thereof images hidden and other Popish ornaments, ready to set up the mass again within 24 hours'

The bishops, who were sure of Elizabeth's countenance in persecuting Puritans, could not trust to be supported if they meddled with the other side; and it was not till her present alarm that the Queen was roused to a conviction that she could no longer halt safely between two opinions.

In the neighbourhood of London the Commission was not ill received. A few magistrates here and there hesitated at the bond from "scrupulosity of conscience," but all were ready to give securities for their allegiance, and to renew their oaths to the Queen "as their lawful sovereign."

The experiment was far more critical in the Northern Counties, where the mere rumour of the intention was so much fresh fuel on the fire. There, in their unanimity of opposition, the people were unconscious of the strength of Protestantism elsewhere, and they despised as well as hated it.

Doctor Morton, after the breaking up of the assembly at Topcliff, travelled rapidly about the country to ascertain the general feeling on the difficulty which

warning, as in the town of Battle and in the parish of Lindefield, where they be yet very blind and superstitious.

"In the town of Battle, where a preacher doth come and speak anything against the Pope's doctrine, they will not abide, but get them out of the church.

"In many places they keep yet their chalices, looking to have mass again, whereas they were commanded to turn them into communion cups after our fashion, keeping yet weight for weight. Some parishes feign that their chalices were stolen away, and therefore they ministered in glasses and profane goblets.

"In many places the people cannot yet say their commandments, and in some not the articles of their belief.

"In the cathedral church of Chichester there be very few preachers resident — of thirty-one prebendaries scarcely four or five.

"Few of the aldermen of Chichester be of a good religion, but are vehemently suspected to favour the Pope's doctrine; and yet they be justices of the peace." — *MSS. Domestic, Rolls House.*

had risen. He had been, or professed to have been, in other parts of the island as well, and to have learnt the universal sentiments of the English nation. On his return old Norton and many others again repaired to the Earl of Northumberland. They had gone so far, they said, that they could not go back, and they must either rise or "fly the realm." "It would be a great discredit to leave off so godly an enterprise; all England was looking to see what they would do, and would assist when the first blow was struck."[1] Morton followed to the same purpose. As to the excommunication, he said they ought rather to prevent it than wait for it: unless the government was changed the Pope would proceed with the censures, and then not only their souls would be in danger, but the independence of England might be lost also.[2] He implored

[1] Northumberland's confession: *Border MSS.*

[2] "Doctor Morton said that the Christian princes, through the Pope's persuasion, would seek to subvert us if we did not seek to reform it within ourselves; affirming that he had travelled through the most part of England, and did find the most part of the common people much inclined thereto if so be that any one would begin to take the enterprise in hand." Francis Norton to Leicester and Cecil: *Flanders MSS., Rolls House.*

With the laudable desire of simplifying the study of the MSS. in the Record Office, the keepers have divided them into groups according to the country to which they are supposed to refer. In illustration of the utility of this arrangement, the student of the history of the Northern Rebellion must look first in the collection called the Border Papers, because the action lay chiefly in Yorkshire and Northumberland. When the movement surges across the Tweed the traces in the Border Papers are lost, and he must turn to the series for Scotland. To fill out his picture he must refer to a separate collection, supposed to be devoted to the Queen of Scots. For the opinions so supremely important of the English ministers he must look to their correspondence under the head of Ireland, Germany, France, or Italy. The confessions of the important prisoners are in the Domestic Papers, because they were tried in London; and the account of the same scenes given for instance by Francis Norton is to be found in the Flanders Papers, because he escaped to the Duke of Alva. The general result has been hitherto hopeless confusion; the classification however is now to some extent rectified in the calendars of the Master of the Rolls.

them to delay no longer, but to take arms at once for their country, their Saviour, and their church. The Duke of Norfolk had failed them, but they were happy in the loss of his support. With Norfolk for an ally they could have risen only for the settlement of the succession; they could now touch the heart of every Christian Englishman by declaring themselves the defenders of the ancient faith.[1]

The priest's eloquence was not entirely successful. The temper of the south of England was known only "upon conjectures." Northumberland wrote to various friends, but "was answered with such coldness as misliked him."[2] In the autumn fairs in Yorkshire, men formed and gathered in knots and groups, and the air was full of uneasy "expectations of change." Still nothing was done. Lord Derby, among others, was ominously silent, which, as Northumberland said, "greatly discouraged him." The Queen of Scots and Don Guerau equally recommended quiet.

Meanwhile Lord Sussex, who was established at York as President of the Council, was anxiously watching the condition of the Northern districts. As a friend of Norfolk, Sussex had been counted upon by the Confederates as likely to be favourable to them. In their altered position they were less able to tell what to expect from him. At the beginning of October he invited the Earls of Northumberland and Westmoreland to York, to give him the benefit of their advice. Wishing to feel his temper they immediately com-

[1] "Our first purpose was the establishment of the succession. Since the apprehension of the Duke of Norfolk the setting up of religion, meaning Papistry, is our purpose." — Declaration of George Tongue, November 8: *Border MSS.*

[2] Northumberland's confession: *MS.* Ibid.

plied;[1] and they found at once that he had not the slightest disposition towards disloyalty. The Norfolk marriage was talked over. They both assured him "that they would never stand to any matters that should be to her Majesty's displeasure or against her surety;"[2] and Sussex believed them and allowed them to return to their houses. Reports reached him afterwards that they had taken arms, and that the country was up; but he ascertained that their stables were more than usually empty, that there were no signs of preparation in their establishments, and that at least for the present no danger was to be apprehended. He had a narrow escape of falling a victim to his confidence. Assured of the popular feeling on their side, the Earls believed that if they could seize York and make themselves masters of the local government, Lord Derby and the other waverers would no longer hesitate to join them. It was proposed that Northumberland with a few hundred horse should make a sudden dart upon the city some Sunday morning, lie concealed in the woods till the bell "left knolling for sermon," and then ride in, stop the doors of the cathedral, and take President and Council prisoners. "Treason," however, had a terrible sound to an English nobleman. They reflected "that the thing might cause bloodshed," and so "passed it over;"[3] waiting till circumstances came to their assistance and decided their course for them.

Their names were often mentioned in the examinations which followed on Norfolk's arrest; and it came out that they had been in correspondence with Don

[1] Sussex to Sir George Bowes, October 9: *Memorials of the Rebellion of 1569.*

[2] Sussex to the Queen, October 30: *Border MSS.*

[3] Northumberland's confession: *MS.* Ibid.

Guerau. The Queen required their presence in London, and though Sussex doubted the prudence of sending for them till the winter was further advanced, Elizabeth was peremptory, and insisted that they should come to her without delay.

The two noblemen whose names were to acquire a brief distinction were by position and family the hereditary leaders of the North — it may be said the hereditary chiefs of English revolution. Northumberland was the descendant of the great Earl who had given the throne to the House of Lancaster. His father, Sir Thomas Percy, had been attainted and executed after the Pilgrimage of Grace, but the confiscated estates were restored to the old house by Queen Mary, and the young Earl had come back to his inheritance amidst the passionate enthusiasm of a people to whom the Percies had been more than their sovereign.

The Earl of Westmoreland was the head of the great House of Neville, from a younger branch of which had sprung Warwick the King-maker. He was the great-grandson of Stafford Duke of Buckingham. He had married a sister of the Duke of Norfolk. No shield in England showed prouder quarterings, and no family had played a grander part in the feudal era of England.

Had the personal character of either earl been equal to their lineage, they too might have changed a dynasty, and it was with no unreasonable misgivings that Sussex prepared to obey his mistress's commands. There was not a single nobleman in the North on whom he felt that he could rely. The Earl of Cumberland was "a crazed man," and his tenants were under the leadership of Leonard Dacres, who had married his sister. The Earl of Derby, though said

to be "soft," was a Catholic at heart, and "the five lords" were generally spoken of as likely, if not certain, to support each other.

The Queen's orders found the Earls at Raby. Westmoreland at once refused to obey. "Evil rumours," he said, "had been spread abroad about him and carried to the Court. He did not care to trust himself away from his friends;"[1] and as an intimation that he did not intend to be taken without resistance, he reviewed his retainers under arms.[2] Northumberland varied his answer by saying that he was busy and for the present could not comply, but he returned to Topcliff "determined not to rise," and meaning, or believing that he meant, to go up to London in the winter.[3]

November.

Sir George Bowes, however, sent word to Sussex that mischief was gathering; and Sussex, terrified at his own weakness, wrote to Elizabeth to say that, although he would "do his part" if she required him to take the Earls prisoners, he recommended her to overlook their disobedience, and "call them home to her favour."[4] He was disinclined to Cecil and Cecil's policy. He preferred the old order of things to the new. Like the rest of the old Peers, he was in favour of the Queen of Scots' succession; and without a disloyal thought, he sympathised, to some extent at least, with the Earls' dissatisfaction.

To compose matters if possible before receiving further positive directions, he sent his secretary to Topcliff to persuade Northumberland to go to the Queen

[1] Sussex to the Queen, November 8

[2] November 6.

[3] Confession of Thomas Bishop: *MSS. Hatfield.*

[4] Sussex to the Queen, November 8; Sussex to Cecil, same date: ***MSS Border.***

at once. Northumberland answered that he had "not been well used," made many objections, but "in the end" seemed to yield, and promised to prepare for his journey. It appeared, however, that Catholic hopes and Catholic fanaticism had been stirred too deeply. There was a natural fear that the Queen had discovered the whole plot, and the Countess Anne [1] was made of harder stuff than her husband. The secretary was detained at Topcliff for some hours while his horses were resting; at midnight [2] a message came to bid him haste away or it would be the worse for him; while a servant, who had come probably no farther than from the Countess's apartment, woke Northumberland from his first sleep with the news that, "within an hour Sir Oswald Wolstrop would be upon him to carry him muffled to Elizabeth." The Earl sprang from his bed, ordered his horses to be saddled, the bridge over the Swale to be broken, and the church bells to be rung backwards. The jangled sound broke on the ears of Sussex's emissary as he rode out of the town. His guide, when he asked what it meant, "sighed, and answered, he was afraid it was to raise the country." [3]

The cry was out that "the Pope had summoned England once; he was about to summon it again, and then it would be lawful to rise against the Queen, for the Pope was head of the Church." [4] By the morning bodies of armed men were seen streaming from all points upon the road to Raby. Northumberland himself, old Norton and his sons, Captain Reed, who had

1 Daughter of Somerset Earl of Worcester and niece of Lord Montague.
2 November 9.
3 Sussex to the Queen, November 10: *MSS. Border.*
4 Evans to the Council, November 8: *MS.* Ibid.

commanded the Bolton guard, with twenty of his harquebussmen, Markinfield, Swinburn, and a hundred other gentlemen, made their way to the Earl of Westmoreland. The country was covered with flying peasants, driving their cattle before them for fear of plunder, and with scattered bands of insurgents who were seeking for arms. Irresolute still, Northumberland had meant to go first to Alnwick whatever else might follow. Before he left Topcliff he addressed a few weak words to Elizabeth, "protesting that he never intended any disloyal act towards her;" begging her of her mercy to take compassion of his miserable state and condition," to listen to no false reports of him, and "to send him some comfort, that he might repair to her presence."[1] But he was drawn with the rest to Raby, where he and they were to decide whether they would fight, or fly, or submit. There, two days after, at a general council, the question was once more discussed. They were all uncertain; the Nortons were divided among themselves, Northumberland and Swinburn were inclining to make for Flanders, and there was no resolution anywhere. They had all but broken up, and "departed, every man to provide for himself," when Lady Westmoreland, Lord Surrey's daughter, threw herself among them, "weeping bitterly," and crying "that they and their country were shamed for ever, and that they would seek holes to creep into." The lady's courage put spirit into the men. There was still one more chance: while they were debating, a pursuivant came from Sussex requiring the Earls, for the last time, to return to their allegiance. If they were falsely accused to the Queen, Sussex said that

[1] Northumberland to the Queen, November 13 (*sic*): *Border MSS.* The date is obviously wrong. The Earl left Topcliff on the 10th.

their friends would stand by them. If they had slipped, their friends would intercede for them."[1] But it was now too late. Northumberland proposed to go on to Alnwick, raise his people there, and join the others on the Tyne; but the Nortons and the other gentlemen would not allow him to leave them. The pursuivant was detained till he could carry back a fuller answer than could be expressed in words; and at four o'clock the following afternoon, Sunday, the 14th of November, as the twilight was darkening, Northumberland, Westmoreland, Sir Christofer and Sir Cuthbert Neville, and old Richard Norton entered the city of Durham. With sixty followers armed to the teeth behind them, they strode into the cathedral; Norton, with a massive gold crucifix hanging from his neck, and carrying the old banner of the Pilgrimage, the cross and streamers and the five wounds. They "overthrew the communion board;" they tore the English bible and prayerbook to pieces, the ancient altar was taken from a rubbish heap where it had been thrown, and solemnly replaced, and the holy water vessel was restored at the west door; and then, amidst tears, embraces, prayers, and thanksgivings, the organ pealed out, the candles and torches were lighted, and mass was said once more in the long-desecrated aisles.

"Tell your master what you have seen," Northumberland said to the messenger, when it was over. "Bid him use no further persuasions; our lives are in danger, and if we are to lose them, we will lose them in the field."[2]

The first step once ventured there was no more hesitation. On Monday morning they moved south, to

[1] Sussex to the Earls, November 13: *Memorials of the Rebellion.*
[2] Sussex to Elizabeth, November 15: *MSS. Border.*

Darlington, gathering force like a snowball, and with herald's voice and written proclamation, at cross road and village green, in town hall and pulpit, they made known their intentions to the world, and appealed to the religious conscience of the people. "They intended no hurt to the Queen's Majesty nor her good subjects," they said; "but inasmuch as the order of things in the Church and matters of religion were set forth and used contrary to the ancient and Catholic faith, their purpose was to reduce all the said causes of religion to the ancient custom and usage, and therein they desired all good people to take their part." [1] Sussex could do nothing to arrest the movement. He sent out a Commission to assemble the "force of the shire;" but if it came together he feared that it would be more likely to go over to the rebels than fight for the Queen; could he trust the levies otherwise, he had no money to pay them with; and Yorkshiremen, as Sir George Bowes had to warn him, would never serve without wages." [2] Slow, per-

[1] Proclamation of the Earls, November 15: *Memorials of the Rebellion.* The form was afterwards slightly varied, running thus: — "We, the Earls of Northumberland and Westmoreland, the Queen's true and faithful subjects, to all the same of the old Roman Catholic faith. Know ye that we with many others well disposed, as well of the nobility as others, have promised our faith to the furtherance of this sure good meaning. Forasmuch as divers disordered and ill-disposed persons about the Queen's Majesty have by their crafty and subtle dealing, to advance themselves, overthrown in the realm the true and Catholic religion, and by the same abuseth the Queen, dishonoureth the realm, and now lastly seeketh to procure the destruction of the nobility: We, therefore, have gathered ourselves together to resist force by force, and rather by the help of God and of you good people, to reduce these things amiss, with the restoring of all ancient customs and liberties to God and this noble Realm. And lastly, if we shall not do it ourselves, we might be reformed by strangers, to the great hazard of the state of this our country, whereunto we are all bound. God save the Queen." — Proclamation of the Earls, November 19: *MSS. Border.*

[2] Bowes to Sussex, November 17.

plexed, irresolute, the same at York as he had been six years before in his unlucky command in Ireland, Sussex could see nothing but the uselessness of resistance, and recommended Elizabeth to come to terms, if possible, with the insurgent leaders. "If the rebels prepare to fight," he wrote, "they will make religion their ground; and what force they may have in that cause, and how faintly the most part of the country that go with me will fight against that cause, and what treason may be wrought amongst mine own force for that cause, I know not. But truly, and upon my duty to your Majesty, I have great cause to doubt much of every of them, and so I do indeed. Your Majesty must consider whether it shall be greater surety for you to pardon these Earls their part taken and their offences past, to call them to attend at your Court, where you may be sure from any practice, and this winter to purge this country and the other parts of the realm of the ill affected; and so to avoid the danger of foreign aid and make all sure at home; or else to hazard battle against desperate men, with soldiers that fight against their conscience.

"If it come to the fight, either God shall give you the victory, or if any man will stand with me, you shall find my carcase on the ground, whatever the rest of my company do; for besides my duty to your Majesty, I will for my conscience' sake spend all my lives, if I had a thousand, against all the world that shall draw sword against our religion; but I find all the wisest Protestants affected that you should offer mercy before you try the sword." [1]

The Earls understood thoroughly that for the time the game was in their hands. They advanced straight

[1] Sussex to the Queen, November 15: *MSS. Border*

and steadily southwards, their numbers varying or variously reported as from eight to fifteen thousand, among whom were two thousand horse well armed and appointed. The only regular troops in the Presidency were on the Border, in garrison at Berwick or Carlisle, or in the Middle Marches with Sir John Foster. Both Sussex and Cecil wrote pressingly that some of these soldiers should be sent to York; but they could not be spared from their posts. The Earl of Murray had proposed in August to set the Scotch Border in order. It will be remembered that Elizabeth, just then in pique at Murray for refusing to receive back his sister, had ordered the Wardens, if the Regent molested any gentlemen inclined to Mary Stuart, to receive and protect them. The Kers and the Scotts were thus left undisturbed, and "the Earls had so practised with them that the Wardens had more need of men themselves than were able to spare any to send elsewhere;" [1] Northumberland had been in communication through the autumn "with all the dangerous lords and gentlemen" between Forth and Tweed; the powder-train of the general conspiracy had been laid throughout the island wherever Mary Stuart had a friend.

Sir George Bowes flung himself into Barncastle, with a few score servants and followers. Lord Darcy held Pomfret, and trusted faintly that if the Queen would send him money he might be able to stop the passage over the Don. But there was no force anywhere which could meet the rebels in the field. On the 19th they were at Ripon, on the 20th at Knaresborough and Borrowbridge, on the 23d they had passed York. Their main body was at Wetherby and

[1] Foster to Bowes, November 25: *Memorials of the Rebellion.*

Tadcaster, their advanced horse were far down across the Ouse.[1] The barns were full, the farm-yards well stocked; the cattle which had fattened in the summer were not yet fallen off in flesh, and food was abundant. They moved on at leisure, intending to make first for Tutbury and release the Queen of Scots, and then either advance to London or wait for a corresponding movement in the South. To make the ground sure and to open a port through which the expected succours could reach them from Alva, by a side movement they secured Hartlepool. They sent letters to every person of rank whom they expected to find on their side. Misinterpreting the inaction of Sussex, they supposed that he was waiting only for the plea of constraint to join their party. They had avoided York on their advance to prevent a collision, and they wrote to beg him to make common cause with them.[2] To Lord Derby they wrote saying that, "because he was wise they needed not persuade with him" of the necessity of their rising; they knew "his zeal for God's true religion" — they knew "his care for conserving the ancient nobility;" they trusted that he would lose no time in joining his forces to theirs:[3] while to commit before the world the other noblemen who they believed to be with them in heart, they set out a manifesto, relating as much as suited their purpose of the proceedings of the Council during the past year. "The succession to the crown was dangerously and uncertainly depending through the many pretended titles." "For the avoiding of bloodshed and other subversions of the Commonwealth," the Duke

[1] Sussex to the Queen, November 24: *Border MSS.*

[2] Same to the same, November 26: *MS.* Ibid.

[3] The Earls of Northumberland and Westmoreland to the Earl of Derby, November 27: Burghley *Papers*, Vol. I.

of Norfolk, the Earls of Arundel and Pembroke, with divers others of the old nobility, had determined to make known and understood of all persons to whom the right did indeed appertain. "This their good and honourable purpose had been prevented by certain common enemies to the realm, near about the Queen's person." They were themselves in danger from "sinister devices" which could only be avoided by the sword. They had therefore taken arms and committed themselves and their cause to Almighty God.[1]

The next step was to secure Mary Stuart. Their advanced camp was little more than fifty miles from Tutbury. Lord Northumberland proposed to go forward suddenly and rapidly with a small party. Lord Wharton and two of the Lowthers agreed to join him either on the road or at Burton or Tutbury, and so they hoped to carry the castle by surprise.[2]

Happily before the enterprise could be executed the Queen of Scots was beyond their reach. When the

[1] Manifesto of the Earls: Burghley *Papers*, Vol. I. Northumberland had great hopes from this manifesto, as well as from the previous proclamation. "Our assembly," he said, "was for reformation of religion and preservation of the second person, the Queen of Scots, the right heir, if want should be of the issue of her Majesty's body. Which two causes I made full account were greatly pursued by the most part of the noblemen within the realm, and especially for God's true religion. Yea, I was in hope both the Earl of Leicester and my Lord of Burghley had been blessed with some godly inspiration by this time of day to have discerned cheese from chalk, the matter being so evidently discovered by the learned Divines of our time." — Confession of the Earl of Northumberland: *Border MSS.*

[2] "For that you write that the enterprise of the chief purpose is resolutely upon the Earl of Northumberland to be attempted and that the enterprisers are desirous of my company, — this I offer, that appoint me a day and I will meet with four good horses at Burton or Tutbury, there to perform with the foremost man or else to die. And to the furtherance thereof the Lord Wharton and my brother will join. For coming to you upon an hour's warning with their whole power it is not possible, but they will not fail to win with you in passing. Let nothing persuade you but that the Lord Wharton and Richard Lowther are and will be always with you." — Lowther to the Earl of Westmoreland: *MS.* Ibid.

news that the Earls had risen came first to London, Elizabeth failed to comprehend the meaning of the danger. She could not believe that an insurrection on such a scale could have started suddenly out of the ground. She distrusted Sussex's judgment and half distrusted his loyalty. She insisted that he could have put down the disturbance at the first moment had he cared to do so, and she resented and seemed chiefly concerned about the expense to which she would be exposed. "The Earls," she said, "were old in blood but poor in force;" and, evidently unconscious that a lost battle might be the loss of the realm, she declared that she would send down no pardons, and Sussex must restore order with the means already at his disposal.[1]

She wished to deceive herself, and she had those at her ear who were too ready to assist her. Leonard Dacres, when he separated from the Earls, after their disappointment about Norfolk, had returned to London. Either the Queen had sent for him as she sent for others, and he had thought it prudent to comply, or, not expecting a rising, he had gone up on business of his own. To anticipate the arrest which he had reason to look for, he sought and obtained an audience. With the address of which he was an accomplished master, he satisfied Elizabeth of his fidelity, which he

[1] Elizabeth did not realize that the Yorkshire levies could not be depended on. "Good Mr. Secretary," Sussex wrote in answer to Cecil, "give advice that the sparing of a little money in the beginning be not repented hereafter, and therefore send some good force that ye may surely trust to in these parts. To be short with you, he is a rare bird that by one means or other hath not some of his with the two Earls, or in his heart wisheth not well to the cause they pretend. Seeing what groweth in all the realm by this matter, I wish heartily the Queen's Majesty should quench the fire at the beginning, either by pardon or force; and if by force, then not to trust these parts, lest by one foil taken much may be hazarded." — Sussex to Cecil, November 20: *MSS. Border.*

assured her that he was only anxious to display in the field. The name of Dacres in the North was worth an army.

The Queen listened graciously. Norfolk being now in disgrace, she promised Dacres favour in his suit for the estates, and he went down to Naworth with a formal commission to raise whatever force he could collect, and with instructions to join Lord Scrope at Carlisle. Dacres, who was a far abler man than either of the Earls, believed them to have made a foolish mistake. He sent them word that if Scrope took the field, he would go with him "till he came in sight of their powers," and "then set upon him and overthrow him;" and this undoubtedly he meant to do, if the rebellion wore a complexion of success. But he had his own interests to look to also. He was not the man to commit himself to a falling cause; and he might well think he could do better service to religion and Mary Stuart if he could secure his peerage and his inheritance by remaining loyal. At all events, he had misled the Queen as to the force which she had to depend on. He had secured his friends time, and so far had given them their best chance of success.[1]

Elizabeth's other measures were not more effective. To save the cost of sending troops from London, Lord Rutland, a boy of thirteen, was directed to call out the musters in Nottinghamshire and put himself at their head. Sir Ralph Sadler and Thomas Cecil were ordered down to take charge of him, and to see especially that the young Earl while on duty went diligently to church.[2] Spies offered their services, which

[1] Notes of the proceedings of Leonard Dacres, March 4, 1570: *MSS. Border.* Witherington's confession, January 19: *MS.* Ibid.

[2] Cecil to Sadler, November 20: Sadler *Papers*, Vol. II.

were eagerly accepted. A Captain Stully volunteered to go among the insurgents, learn their secrets, divide and betray them.[1] A more dangerous person, who will be heard of again, Sir Robert Constable, undertook for a high bribe the same work.[2] With such precautions as these the Queen imagined that the rebellion could be safely encountered. The one substantial precaution which she thought necessary was to join Lord Hunsdon in command with Sussex.

Meanwhile Don Guerau believed that the long-wished-for time was come. The Earl of Southampton and Lord Montague sent to consult him whether they should call out the Catholics in their own counties, or cross the Channel and endeavour to bring back Alva with them.[3] The Ambassador declined to advise, and they did nothing; but other gentlemen hurried over with the news of the rising; though Philip had been cold, he had left the Duke free to act if there was an opportunity; and so confident was Don Guerau that he would not allow the occasion to pass, that he sent word to the Earls that if they could but keep a single seaport open, they would have assistance in a fortnight. "Never," he told Philip, "was there a fairer chance of punishing the men who had so long insulted Spain, or of restoring the Catholic religion."[4]

All turned at that moment on the success of the

[1] Bedford to Sadler, November 21: Sadler *Papers*, Vol. II.

[2] Constable was Westmoreland's cousin; a man whose sympathy with the rebellion would be accepted without suspicion, and therefore the fitter for the purpose. He was grandson of Constable of Flamborough, the friend of Aske, who was executed after the Pilgrimage of Grace.

[3] "Milord Montagu y el Conde de Southampton me enviáron á decir si les aconsejaba que tomasen las armas ó pasasen á V^a^ Excellencia, y les dixe que no podia darles consejo hasta tener la orden conveniente para ello." Don Guerau to the Duke of Alva, December 1: *MS. Simancas.*

[4] Don Guerau to Philip, November 20: *MS.* Ibid.

adventure at Tutbury. Had the Queen of Scots reached the camp of the rebels, Southampton, Montague, Morley, Worcester, in all likelihood the Earl of Derby, would have immediately risen. Alva had a fleet already collected in Zealand with guns and powder on board; and he was understood to be waiting only to hear that she was at liberty to launch them upon England. If reports which reached Cecil spoke true, it was even arranged that the members of the infamous Blood Council would accompany the expedition to assist the Catholics in their expected revenge;[1] and La Mothe Fénelon congratulated himself that England was about to taste the same calamities which France had been suffering for years through English intrigues.[2]

Fortunately for Elizabeth, Lord Hunsdon reached the North in time to remove her delusions. He was at Doncaster on the 20th of November, where he found that the rebels were in force between him and Sussex. Accompanied by Sadler he made his way to Hull, and thence he passed round at the rear of them to York, while he sent back word that not a day was to be lost in sending troops from London, and that the Queen of Scots must be removed from Tutbury, or she would without doubt be carried off.[3]

[1] "Le Duc d'Alva a eu entendement avecques quelqu'ungs Seigneurs d'Angleterre, et il les a promis assistance à l'encontre de la Reyne et la religion, pour quelle fin ledict Duc avoit faict apprester en Holland et Zeeland certain nombre de navires, les quelles sont deja equippez et grande preparation de beaucoup de grande artillerie y sont amenez. L'ung de ses filz estoit appointé pour y venir avecques ung nombre de gens jusques à quelque havre au pais de Norfolk, entre lesquelles estoient quelques Espagnolz conseilleurs appointez à sçavoir la conseille de Sang, comme ils sont au Pais Bas Inquisiteurs qui auroient faict detestables et horribles punitions et dechirations du peuple." — — to Cecil, December 8. From Brussels: *MSS. Hatfield.*

[2] La Mothe au Roy, November 25: *Dépêches*, Vol. II.

[3] "The Earls intend to go through withal. Their meaning is to take

Shrewsbury had received a similar warning and made such preparations for his defence as circumstances allowed. Huntingdon, who was at no great distance, rejoined him at his own request. If the castle was attacked in force, they felt both of them that it could not be held, but it would stand a siege for a day or two, and they took precautions not to be surprised. A mounted guard patrolled the woods at night, and the Queen of Scots herself was carefully kept in sight. She had affected illness and had desired to be alone; but Shrewsbury by this time understood her and felt more suspicion than alarm.

So matters stood with them when Westmoreland was arranging his plans for her rescue. Another day or night would have seen the attempt made, for the Earls knew how much depended on it; but, on the 23d of November, a courier dashed in from London with an order for the Queen of Scots' instant removal to Coventry. It was a delicate matter to take her anywhere. "The more she was seen and acquainted with, the greater the danger." The commission, too, had been sent to Huntingdon alone, and Shrewsbury's pride was again wounded at the seeming distrust. He refused to leave his charge, irritating Huntingdon by implying a doubt that the Queen of Scots' life would not be safe with him. In this humour they got to horse together, took their prisoner between them, with a mounted escort of four hundred men, and so made their best speed to Warwickshire. They rode into Coventry "at night, to avoid the fond gaze and confluence of the people." They had been ordered to

the Scottish Queen, and therefore, for God's sake, let her not remain where she is, for their greatest force are horsemen." — Hunsdon to Cecil, November 20: *MSS. Border.*

prevent Mary Stuart from being seen or spoken to, but their precautions were useless. No preparations had been made to receive them, and they were obliged to take her to an inn too small to admit more than her personal attendants, and too public to enable them to seclude her from sight. At Coventry, as everywhere else, she found a mysterious body of friends devoted heart and soul to her, and "going up and down the town with full powers to practise." Shrewsbury continued cold, distant, and resentful;[1] and Huntingdon, who found the contents of his most secret despatches were in some way carried to her ears, could not but feel a wish that she was safe in Nottingham Castle rather than in an open town, especially as he knew that dangerous influences were at work upon Elizabeth and doubted how far she would resist them.[2]

December.

He had good reason for uneasiness. Norfolk, more than ever uneasy at his imprisonment, when the revolution seemed likely to be accomplished and the fruits of it snatched from himself, plied Elizabeth with passionate entreaties for forgiveness. He professed a horror at "the enterprise of the rebel Earls." For himself, he swore that he "had never dealt with them, either for religion, title, or succession," and that he had never entertained an undutiful thought towards herself.[3] At the same time he was endeavouring with

[1] Huntingdon to Cecil.

[2] "I am sorry to understand such objections as you write be many times made against good counsels given by true-affected councillors. God amend that fault wheresoever it be, or else our country and sovereign shall taste, I fear, of sharper storms from the North, or perhaps from some other coast, than doth yet blow. God give all councillors such hearts as in their counsels they may unfeignedly in simplicity and truth seek his glory, our country's weal, and Sovereign's surety. December 9": *MSS. Hatfield*

[3] Norfolk to Elizabeth, December 5: Burghley *Papers*, Vol. I.

vows and promises to reëstablish himself in the affections of Mary Stuart, and she in turn was bewitching him with assurances of eternal fidelity, declaring herself[1] to be waiting only for his directions, careless of dangers, and ready, if he could extricate himself, to slip through the hands of her own keepers.

While the two principals were thus engaged, the Bishop of Ross was besieging Leicester, and through Leicester the ears of Elizabeth. The Bishop of Ross, with every fibre of the conspiracy in his hands, could carry to the Council the smoothest aspect of innocence. He could affect to grieve over the disturbances which he had himself assisted to kindle, and wind up with a lamentation over the dangers of his mistress, and entreat that she might be allowed to fly from the storms which were threatening to overwhelm her. His mistress, he said, had preferred the friendship of the Queen of England to that of the "most puissant of Princes." She had chosen her out and clung to her as the sole support of her misfortunes; her Majesty should return love for love and let her go.[2]

Elizabeth's suspicions of the Queen of Scots had

[1] "When you say to me you will be to me as I will, then you shall remain mine own good Lord, as you subscribed once with God's grace, and I will remain yours faithfully. Neither weal nor woe shall remove me from you if you cast me not away." — Mary Stuart to Norfolk, December: Labanoff, Vol. III.

[2] "Let her Majesty remember," he wrote to Leicester, "what great commendations and immortal fame many kings and princes have purchased for themselves for benefit, aid, and support bestowed on other princes being in like distress. Abraham delivered his brother Lot. Cyrus set free the Jews from their captivity. Evil Merodach delivered Joachim King of Judah forth of prison. The Romans restored Masinissa King of Numidia, and did not noble Cordela (*sic*) set up again in the royal throne of Britain her father, driven from thence by his two other unkind and unnatural daughters? Would not her Majesty in like manner have pity on one who was at once her sister, daughter, friend?" — The Bishop of Ross to Leicester, November 28: *MSS. Queen of Scots.*

happily been stirred too deeply, and neither the advice of fools or traitors, nor Norfolk's mendacity, nor the eloquence of the Bishop of Ross, could charm her now into a false security.

Meantime the Earls had missed their chance and had lost the game in missing it. Mary Stuart once beyond their reach, there was no longer any fear from Alva. The Southern noblemen let the time for action go by, and the rebel Earls, after waiting three days about Tadcaster, turned back upon their steps. They had expected that all England would rise to meet them. The universal tranquillity was not disturbed. The Earl of Derby, instead of rising, forwarded to Elizabeth the letters with which they had tempted his loyalty. Montague and Southampton waited for Alva, and Alva would not move till Mary Stuart was free. They had no money; the road to London was open, but they were unwilling to irritate the people by feeding their men upon plunder; and even could they reach London, they doubted their power to carry it by a *coup de main*, and to besiege it would be beyond their power. Like the Pilgrims of Grace, they halted in their first success, and in halting lost all.[1]

Their plan was now to hold the north of Yorkshire, Durham, and Northumberland, and wait to be attacked. They thought of assaulting York, but they doubted whether they could take it without guns. There would be danger to their friends in the town, and though Westmoreland, who saw more clearly than the others the necessity of doing something important, was in favour of the attempt, he was alone in his opinion.[2]

[1] La Mothe, December 27: *Dépêches*, Vol. II.

[2] Bishop's confession: *MSS. Hatfield.* Confession of Christofer Norton. April, 1570: *MSS. Domestic, Rolls House.*

Lord Sussex had deserved more credit than he was likely to receive. His brother, Sir Egremont Radcliffe, had joined the insurgent army, giving a show of colour to the Queen's suspicions. But when Hunsdon and Sadler arrived they found that he had done as much as he could in prudence have ventured. He had collected within the walls almost three thousand men. He had not led them against the rebels because "they wished better to the enemy's cause than to the Queen's." But as Elizabeth believed that he had been wilfully inactive, Sadler ventured to tell her "that there were not ten gentlemen in Yorkshire that did allow her proceedings in the cause of religion." "When one member of a family was with Sussex, another was with the Earls." [1] "The cause was great and dangerous," and Sussex had done loyally and wisely in refusing to risk a battle. If only their own lives were at stake, both he himself and Hunsdon and Sussex would try their fortunes, even "with the untrusty soldiers they had;" but "should they receive one overthrow the sequel would be so dangerous as it was better for the Queen to spend a great deal of treasure than they should give that adventure." [2]

Sussex, therefore, had acted well and wisely in sitting still behind the walls of York. Had the Queen of Scots been released his caution would have availed him little; the war would have rolled south and have left him behind: but it was necessary to risk something, and events worked for him. Money came in at last, though in small quantities and grudgingly given. The soldiers in the city were paid up and grew better tempered. "The discreet began to mislike the insur-

[1] Sadler to Cecil, December 6: Sadler *Papers*, Vol. II.
[2] Same to the same, December 3: *Border MSS.*

rection," "the wealthy to be afraid of spoil." At the first stir "there were few or none of the citizens that were not more addicted to the rebels than to the Queen," and there was not a cannon or a cartridge in the town. Sussex kept them all quiet, brought guns and powder up from Hull, threw up bulwarks, did everything better than could have been expected from his first fears and his commonplace character. Hunsdon was able to say, "that if Sussex's diligence and carefulness had not been great, her Majesty had neither had York nor Yorkshire any longer at her devotion: he wished to God her Majesty knew all his doings: she would know how good a subject she had."[1]

By this time the Court was thoroughly alarmed, and a Southern force was on the move. Lord Pembroke replied to the Earls' manifesto with disclaiming all sympathy with them or their object. He had ever been a true subject, he said, and he did not mean in his old age to spot his former life with disloyalty. He declared himself ready and willing to serve anywhere and against any enemy.[2] With graceful confidence the Queen accepted Pembroke's services, and named him at once general of an army of reserve which was to assemble at Windsor.[3] Southampton and Montague, partly perhaps in fear, partly with worse intentions, made an effort to escape abroad. They had sailed, but were driven back by a storm. The Queen

[1] Hunsdon to Cecil, November 26: *MSS. Border.*

[2] Pembroke to the Queen, December 5: Burghley *Papers*, Vol. I.

[3] "The Queen will have an army here of 15,000 men by the 10th of December, whereof the Lord Pembroke shall be general." — Cecil to Sadler: Sadler *Papers*, Vol. II. It was to be composed of levies from Essex Kent, Sussex, Hants, Oxfordshire, Bedfordshire, Wilts, and Somerset.— *MSS. Domestic*, November, 1569.

heard of it: to disarm treason by not affecting to see it, she gave Montague the command of the south coast, and joined Lord Bedford in commission with him, as a security against his betraying his trust.[1] By these and similar measures the insurrectionary spirit was subdued everywhere but in the North. So far as England was concerned generally, the rebellion had flashed in the pan. The Catholic leaders were taken by surprise, separated by long distances, and unable to concert any common plan of action. They distrusted one another, they doubted whether they would be supported from abroad, and at last it appeared were unwilling to move without direct instructions from Philip;[2] while Philip on his side — in such letters as came in from him — would only say that they must do nothing unless they were certain of success.[3]

A proclamation was now sent down and issued at York, promising a free pardon to all the rebels except the two Earls and ten others, on condition of their immediately laying down their arms. Lord Clinton went into Lincolnshire, Lord Warwick and the Earl of Hereford into the Midland Counties, to collect a force to relieve Sussex; and by the end of November

[1] "Estuvó ya Milord Montague con su yerno el Conde de Southampton embarcado para ir á Flandes, y por tiempos contrarios se hubó de volver á desembarcar, y legandose un mandamiento de esta Serenissima Reyna, no rehusó de volver á la Corte y purgarse desta fama, y salido con ellos le diéron el gobierno del Condado de Sussex." — Don Guerau á Su Magestad, December 18: *MS. Simancas.*

[2] "De los que estan confederados ningunos han hecho aun movimiento porque estan espargidos, pero entre si estan consultando de la forma de levantarse." — Don Guerau to Alva, December 1. And again, three weeks later: — "Estan sin osarse fiar los unos de los otros. Parece que aguardan á entender si V. Magd será servido de darles favor." — Don Guerau to Philip, December 20.

[3] "Mas han de mirar mucho como lo emprender, pues si errasese el hecho eran todos perdidos, y vos hecisteis muy bien en remitirlos al Duque de Alva." — Philip to Don Guerau, November 18.

two bodies of 4000 men each were converging rapidly upon Doncaster.

Warwick was crippled with gout and only half recovered from the wound which he had received at Havre, but "thinking himself the unhappiest man living if he should not be in place to venture his life against the rebels;" [1] while ships left Sheerness, some to cruise in the Channel, some to lie off Hartlepool, in case the Spaniards should attempt to cross.

On the 26th of November the Earls of Northumberland and Westmoreland were proclaimed traitors at Windsor. Northumberland was a Knight of the Garter. On Sunday the 27th, a fortnight after the mass in Durham Cathedral, the Heralds and the Knight Marshal went in procession to St. George's Chapel. Rouge Cross read the sentence of degradation from a ladder against the wall. Chester then "hurled down with violence the Earl's banner of arms to the ground, his sword, his crest, and then his helmet and mantle;" while Garter, waiting below, "spurned them with like violence from the place where they had fallen, out of the west door of the Chapel, and thence clean out of the uttermost gates of the Castle." [2]

Three days later the rebel army was broken up. The men scattered about Yorkshire in parties of two and three hundred, "spoiling" for want of other means to feed themselves. Sussex kept close within the walls of York, and let them pursue their retreat unmolested. The Earls divided: Northumberland went straight back to Durham, sending his own people before him to fortify Alnwick. Westmoreland paused at Barncastle, where a brief success revived his failing

[1] Warwick to Cecil, December 3: *MSS. Domestic.*
[2] *MS.* Ibid., November, 1569.

spirits. Sir George Bowes was in the castle with 800 men. The Berwick garrison had made an effort to relieve him, but had been unable to leave the Borders. He was scantily provided with arms, and had so little powder that he durst not waste it. Westmoreland had brought falconets and other small field-pieces with him, and as Bowes was short of provisions besides his other deficiencies, Sussex sent him word that he had better let his "horse" cut their way out at night and make their way to York, and himself hold the keep till relief could reach him. The horse escaped as Sussex directed, but Bowes himself was less fortunate. The garrison mutinied. The men leapt over the walls by twenty and thirty at a time. Two hundred of "the best disposed" who were on guard went out openly through the gates and joined the insurgents, and as those who remained showed signs of intending to follow them, Bowes was obliged to surrender, stipulating only to be allowed to go where he would.

Westmoreland refortified the castle, left a party there to hold it, and went to Raby.[1] Vain of his solitary capture, he expected that the tide would now turn; he anticipated, from the behaviour of Bowes's followers, that the Queen's troops, which were coming up so slowly, had no intention of fighting, and that if they were forced into the field they would pass over to his side.[2] But a few days undeceived him. The evil signs remained unchanged. Dacres was at Car-

[1] Raby Castle was described at this time "as a marvellous huge house of building with three wards builded all of stone and covered with lead." The country round was bleak and untimbered; "nor the castle itself of any strength, but like a monstrous old abbey which would soon decay if it was not repaired." — Sadler to Cecil, December 2: *Memorials of the Rebellion.*

[2] Constable to Sadler, December 16: Sadler *Papers*, Vol. II.

lisle with Scrope, and sent word that if the object of the insurrection was to marry Norfolk to the Queen of Scots, he would have nothing to do with it.[1] The gentlemen grew cold and dropped off one by one. Even Westmoreland's own men refused "to serve without wages;" and Sir Robert Constable the spy, who had joined him, contrived "to spread such terror among them as he trusted there would be no need of stroke or shot." Constable had been directed "to sow sedition among the rebels, discourage, divide, and disperse them," and to "spare no money" in the process. For such purposes Elizabeth was generous, and he did his work effectually.[2] The garrison which had been left at Hartlepool strained their eyes for the sails of Alva's fleet, but they saw instead only the ships of the Queen, which as the weather served, drew in upon the shore and sent long shots among them. The harbour, even had Alva been willing, would not have answered the purpose, for it was dry at low water, and vessels of large burden could not enter it in ordinary high tides.[3]

It was useless to wait longer. Barncastle was again deserted, Hartlepool was evacuated, and so much of the insurgent force as held together was reassembled in Durham in the middle of December. There, as the solitary result of their movement, they could still hear mass in the Cathedral, but the Almighty Power whom they had hoped to propitiate had not interfered in their favour. About 4000 were said to be now remaining in arms, but among these "mistrust" was spreading, and a fear that the Earls would steal away and leave them to their fate.[4] Meanwhile Clinton

[1] Confession of Bishop: *MSS. Hatfield.*
[2] Constable to Sadler, December 14: Sadler *Papers*, Vol. II.
[3] Sussex to the Council, December 11: *MSS. Border.*
[4] *Cotton MSS., Calig. B.* IX. f. 488.

and Warwick were advancing on their several routes. They had been long on their way, for the "roads were foul and miry." "The men were wearied with marching in armour," and could move only five or six miles a day. On the 10th of December Clinton was at Doncaster. He too was short of money and was disappointed in his expectations of finding supplies waiting for him there.[1] But the soldiers were loyal and were contented with promises. He pushed on, leaving accounts to be settled afterwards, and on the 13th met Warwick at Wetherby.

Together they had now 11,000 men, all well appointed, in high spirits, "and eager to encounter the rebels if they would abide."

This, however, it seemed now unlikely that the rebels would venture to do. The object was rather to prevent their flight; and Scrope, reassured by the apparent loyalty of Leonard Dacres, moved out from Carlisle to intercept them on their way to the Borders. To have allowed such a proceeding without obstruction, in the heart of his own country, would have ruined Dacres's popularity. He did not interfere himself, but he gave a hint to two of his brothers, and

[1] Elizabeth was in such a humour about expenses that every penny for the regular service had been doled out reluctantly. Every despatch from the different commanders contained a statement of their necessities. Cecil had to write in return that they must spend as little as possible. "There was much ado to procure money. Her Majesty was much grieved at her charges." Cecil's position made him write with reserve. Sir H. Radcliffe, another brother of Sussex, who was with the Queen at Windsor, expressed himself in plainer language.

"If your Lordship," he wrote to the President, "lack there the supplies promised, you must bear them and do what you may otherwise; and if some here with us bear glances or overthrusts, we must not understand them. Neither shall your Lordship receive this supply, though but small, which might have either ended, or at least mitigated, the matter by this time." — Sir H. Radcliffe to Sussex, December 10: *Cotton MSS., Calig B.* 9.

Scrope had no sooner marched out of Carlisle than he was recalled by the discovery of a plot to seize the castle and murder the Bishop, in whose care it had been left. He could not venture to leave his charge with mischief at his own door; though unable to quarrel with Dacres he durst not trust him, and was forced to remain upon the watch.

Thus, if the worst came to the worst, the passage into Scotland was still open, and with the possibility of escape, the irresolution of the Earls increased. On the 17th the Queen's army was at Ripon. Lord Westmoreland still held the fords and bridges of the Tees, and there, if anywhere, a stand was to be made. Northumberland had returned to his friends, and divided, disheartened, and with dwindled numbers, the rebels held a council at Durham to decide whether they should fight or fly. Westmoreland had some courage, and sufficient sense to know, that insurrection, if it meant anything, meant battle. In the Earl of Northumberland, the blood of Hotspur had cooled to the passive temperature, which could suffer, but could not act. Except for his wife, who never left his side, he would more than once have thrown himself upon Elizabeth's clemency;[1] and now, with some remains of loyalty about him, he shrunk from crossing swords with the soldiers. He had imagined that he had but to appear in the field for all England to welcome him. He had looked rather for a triumphant procession to London than to a rebellion which was to cost blood. "He had not taken arms to fight against his mistress," he said, but only in defence of his life,

[1] "His wife being the stouter of the two, doth harden and encourage him to persevere, and rideth up and down with the army, so as the grey mare is the better horse."—Hunsdon to Cecil, November 26: *MSS. Border.*

and to remonstrate against the misgovernment of his country.

In Percy's weakness the hope of rebellion was for the present ended. Five weeks before, the Earls had entered Durham with their priests and banners, to reinstate the kingdom of the saints. They had to leave it now in scandalous discomfiture, for the tide of heresy to flow once more behind them. They could not count their cause lost; the majority of the English nation, if measured by numbers, was still enormously in their favour. But for the moment, the powers of evil were still in the ascendant, and there was nothing left for them to do but to save their lives. The smaller gentlemen made for their homes, trusting to their insignificance to conceal the part which they had taken. The Earls and the more conspicuous leaders went off for Liddisdale, and the first act of the great Catholic conspiracy was over.

The Queen's troops followed swift on their retreating footsteps. There were now but a few score of them holding together; the two noblemen, their ladies, the Nortons, Markinfield, Swinburn, and their servants. The weather had changed; a blasting north wind swept over the moors, with snow and sleet lashing in their faces.[1] Beyond Hexham they were turned

[1] The hard weather lasted into January, and among the minor incidents of the rebellion there is a touching account of the consequent sufferings of two little daughters of the Earl of Northumberland, whom he had left behind him at Topcliff. Their uncle, Sir Henry Percy, who remained loyal, passing by three weeks after Christmas, reported to Sussex, "that he had found the young ladies in hard case, for neither had they any provisions nor one penny to relieve themselves with." "They would gladly be removed," he said; "their want of fire is so great, and their years may not well suffer that lack." — Sir H. Percy to Sussex, January 9: *Memorials of the Rebellion.*

There was "sharp execution" done at Topcliff before Percy's visit, and the poor children, as they looked shivering out of their window, must have

by Sir John Foster, and doubled back with an intention of hiding among the wolds. But Clinton's cavalry were on the Tyne, led by Sir Edward Horsey, the sworn brother of the Channel pirates, who railing at the cowardice which, having begun a rebellion, would not stand to fight it out, was eager to serve what he called God with the free use of rope and gallows.[1] At Horsey's side was Thomas Cecil, for whose loose ways his father once thought the Bastile the only cure; and who now "having," as he said, "adventured his carcase" in the Queen's service, was looking to fill his pockets from the profits of the expected confiscations.[2] The Yorkshiremen themselves had turned upon the Earls in their failure, and were now crying round Clinton, "Hang them that will not live and die with you." [3] There was no possibility of return, and again turning their horses northward, on the night of the 20th the fugitives found shelter and a few hours' rest at Naworth. There, however, there was no remaining for them; Dacres was in no humour to compromise himself for men whose views he disliked and whose rashness and weakness had ruined

seen some scores of their father's servants hanging on the trees about the house.

[1] "Even as they have frowardly and villanously begun a lewd enterprise, so have they beastly and cowardly performed the same. The bruit of her Majesty's army drawing near did so appal their hearts as made them rather yield their heads unto a halter than by fight persist in their vile and detestable quarrel. I beseech Almighty God that her Majesty may take such order as the punishment of these rebels may be example to all others in this age. I would not have thought to have found any corner in England where God and the Queen is so little acknowledged, — the which now by your Honour's good order may be redressed." — Edward Horsey to Cecil, December 22: *MSS. Domestic.*

[2] Before the rebellion was over, and without waiting to know what the Queen would do, he applied for the administration of the estate of the Nortons.— Thomas Cecil to Sir William Cecil, December 23: *MS.* Ibid.

[3] Sussex to Cecil, December 22: *MSS. Border.*

a great cause. The forlorn party, dwindled now to three ladies and twenty men, were again off before daybreak in the snow, and wind, and darkness.

Across the Border they were safe from their English pursuers; but their case was scarcely mended. They had poor hospitality to expect from Murray, and they had to seek a refuge among the outlaws and moss-troopers who had been the companions of the crimes of Bothwell. Black Ormiston, one of the murderers of Darnley, John of the Side, a noted Border thief, and others, opened their hiding places to them. But among these vagabonds there was little honour. The Regent was at Jedburgh. One of the Elliotts, who was in danger of hanging, and wished to earn his pardon, laid a plot to take them. They were hunted out again, and it was then found that "the Liddisdale men had stolen the ladies' horses." The Countess of Northumberland had to be left behind at John of the Side's house, a place described "as not to be compared to an English dog-kennel." Lord Westmoreland, "to be the more unknown," exchanged his gay dress for the outlaw's greasy breeks and jerkin, and he and his companions spent their Christmas in the caves and peat-holes in the woods of Harlaw and the Debatable Land, till their more powerful Scottish friends could take measures for their relief.[1]

While Clinton and Warwick were thus hunting the insurgents out of the country, Chapin Vitelli, in London, seeing the Catholics cut so poor a figure, was little disposed to encourage his master in going to war for them. Elizabeth was so suspicious of him, that at one time she sent him an order to leave the country;[2] but

[1] Sussex to Cecil, December 22 (midnight): *Border MSS.*

[2] Don Guerau to Alva, December 1.

he struggled on, doing his best to propitiate her, holding out hopes that if she would make up matters with Spain, Spain would assist her in recovering Calais · and, if he produced little effect upon the Queen, he succeeded in seriously alarming the French Ambassador. La Mothe Fénelon, to sound perhaps the real intentions of the Spaniards, said to Don Guerau, that if he could do anything to assist the Earls, he would himself heartily coöperate with him. Don Guerau coldly excused himself;[1] and La Mothe, more afraid than ever that a reconciliation between England and Spain would arise out of the Earls' defeat, began in turn to pay court to Elizabeth, and endeavoured to outbid Vitelli in offers of friendship. The English Catholics had made an effort to overthrow the Reformation; and as a result of it, the ministers of the Catholic Powers were contending for the smiles of the heretic sovereign. She knew the value of their advances. She judged rightly that her differences with Spain were deeper rooted than any which could exist with a country which was half of it Huguenot. She remained cold to Chapin. She accepted graciously the advances of La Mothe; and she spoke to him long and confidentially on the condition of Christendom. With tears in her eyes, she protested that she had not deserved the rebellion. For her relations with the Continent, she desired only that neither her own subjects should assist in creating trouble elsewhere, nor French or Spanish Catholics encourage insurrection in England. She spoke with horror of bloodshed. Ex-

[1] "El Embajador del Rey Christianissimo me vinó á visitar y decir que si yo podia favorescer á estos en esta justa causa que por parte de su Rey me seria buen compañero, sin celos y sospecha alguna; yo me escusé con decir que no tenia mandamiento de su Magestad sobre ello." — Don Guerau to Alva, December 1.

cept for her honour's sake, she said, she would have already pardoned the Earls, and she hoped they would of themselves abandon their enterprise.

La Mothe observed that while there were differences of religion, Europe could never be quiet.

Elizabeth admitted in answer that between the Pope's pretended power to absolve subjects from their allegiance and the Protestant theory of the right of subjects to depose their sovereigns, Governments had a bad time before them. It was time to do something, and she would gladly come to some understanding with other sovereigns on these matters. As to the reunion of Christendom, there was nothing for which she was more anxious. There would be no difficulty with her. She had told Cardinal Châtillon that whatever he and his party might think of the abomination of going to mass, she would herself sooner have heard a thousand than have caused the least of the million villanies which had been committed on account of it.[1]

Remarkable words, throwing the truest light now attainable upon the spiritual convictions of Elizabeth. They might be called wise from the modern point of view, to which varieties of religious forms seem like words in different languages expressing the same idea. For men to kill each other about a piece of bread appears, when so stated, the supreme culmination of human folly. Yet Knox and Coligny were, after all, more right than the Queen of England. The idol was

1 "Et quant à chercher l'union de l'Eglise, Dieu sçavoit qu'elle avoit souvent envoyé devers l'Empereur pour l'en soliciter, et qu'elle ne s'y randroit jamais opiniastre; mesmes avoit dict à M. le Cardinal Châtillon que quoique on tint en leur religion pour une grande abomination d'aller à la Messe, qu'elle aymeroit mieulx en avoir ouy mille que d'avoir esté cause de la moindre méchanceté d'ung million qui s'estoient commises par ces troubles." — La Mothe au Roy, December 10: *Dépêches*, Vol. II.

nothing, and the thing offered to the idol was nothing; but the mass in the sixteenth century meant the stake, the rack, the gibbet, the Inquisition dungeons, the Devil enthroned upon the judgment-seat of the world, with steel, cord, and fire to execute his sentences.

Chapin meanwhile continued to sue for an agreement with Spain, and made no progress. He offered terms the details of which are not preserved, but terms so favourable to England as to be humiliating to the Catholic King. The more pliant Philip appeared the more Elizabeth distrusted him. To make him see that she had no fears she discussed each condition with laboured prolixity: at length she said she would write to Philip, and desired the Minister to be the bearer of her letter. Chapin asked permission to send to Alva for advice; the rebellion was made an excuse for refusing his request; and, desperate at length of effecting anything whatever by negotiation, he found means to let Alva know that the English Government was inveterately hostile, and that without a revolution the two countries could never be brought together again.[1]

It was a conclusion which both Philip and Alva were most reluctant to accept. In Philip's correspondence there is visible an extreme fear lest any representative of Spain should be found implicated in treason and conspiracy, an extreme dislike of encouraging or meddling with seditious persons, however unimpeachable their orthodoxy. The sympathies of Alva were on the side always of order, law, and government. He disapproved of heresy, but it was a question with him whether rebellion was not a greater crime. Such a loose, heedless, and ill-concerted movement as that of the two Earls seemed utterly contemptible to him.

[1] La Mothe au Roy, December 27: *Dépêches*, Vol. II.

He owed his success as a general to prudence as well as courage. He was never known to trust to chance in any single point which care could anticipate; and till he saw some effective action among the English Catholics, besides rhetoric and fine promises, he was ill-inclined to risk the presence of his troops among them.[1] Chapin's message reached the ears of La Mothe, and probably therefore the ears of the Queen. He was again required to leave the country, and, as the order was persisted in, he was this time obliged to obey. Elizabeth merely told him that when the King of Spain would write to her under his own hand she would be willing to renew the negotiation. Meantime things remained as they were. Alva and Philip kept their hold on the little English property which they had arrested. Elizabeth kept the treasures, the ever-increasing piles of Spanish and Flemish goods, the ever-multiplying fleets of Spanish and Flemish merchantmen, with which her warehouses and her ports were choking.

The insurrection having exploded ineffectually, it remained to punish those who had taken part in it. But before relating the measures which the Government believed to be necessary, it remains to mention one more cause which had contributed to the failure of the enterprise. So many plans had intercrossed

[1] An expression of Philip's in one of his letters to Don Guerau shows that he thought particular care was necessary in dealing with English people: he was vain of his knowledge of the national character, and guided himself by consideration of its peculiarities: — "Por tanto fué bien no abriros vos con ellos (los Catolicos) ni alargaros á prometerles lo que os pedian, sin remitirlos al Duque; y de la misma manera procedereis en lo que mas occurriese tocante á semejantes materias, por ser de qualidad que requieren tratarse con mucho miramiento y consideracion, y mayormente con los desta nacion que de su natural son sospechosos en todo tiempo y mucho mas en la ocasion presente." — Philip to Don Guerau, December 26: *MS. Simancas.*

that no two parties understood each other. The Spaniards, the French, the Duke of Norfolk, the Queen of Scots, the Council, had all been playing with separate schemes, and the best of the Catholics, who cared simply for the restoration of the faith, had shrunk from risking their cause upon a movement with the purpose of which they were so obscurely acquainted. Lincolnshire, which had been the scene of the first Catholic insurrection against Henry VIII., was found by Lord Clinton entirely apathetic. Yet Lincolnshire had not been converted to the Reformation, and the behaviour of the people there is explained by a singular address from "the knights and gentlemen" of that county to Philip II. It is described as having been largely signed among them, and represents without doubt the feeling of a very large portion of the Catholic party in England.

"They looked to Philip," these persons said, "as the Prince who had the chief right to their crown, being at once the most Catholic in himself and the most able to defend and maintain the Catholic religion. He had borne the title of King of England. His name was on the English statute-book, and to him they now looked as their liege lord and sovereign.[1] They entreated his Majesty not to suspect or look strangely upon this expression of their feeling towards him. His Majesty might already understand their reason for it; but in the service of God and the Commonwealth, they would briefly explain themselves.

[1] "Comme le Prince du monde qui tient droict et peult avoir droict et titre à la couronne d'Angleterre, comme le plus Catholique et le plus puissant Prince qui les peult défendre et secourer en la foy Catholique; et en ces deux endroicts ils se submettent leurs vies et biens à Vre Majté en toutz respectz et conditions, comme partient à Seigneurs et Noblesse qui tient Vre Majté pour leur Prince et Souveraign."

"Your Majesty," they said, knows well the many rights and titles which are pretended to the crown of this country, and in what peril we all live by reason of them. The succession is claimed by the Earls of Huntingdon and Hertford and other notorious and ambitious heretics, with how little ground, either of justice or strength, appearing manifestly from the quarrels among themselves. Your Majesty knows also the right which is pretended by the Queen of Scots, and the many persons among us who support her claim. We acknowledge both her rights and her deserts as a most virtuous and Catholic Princess, and we are ready to accept her as our sovereign, if your Majesty will place her on the throne, with due securities for the Catholic religion and for the maintenance of the ancient alliance between the houses of Burgundy and England. But we are of opinion that if the Queen of Scots be set up by ourselves only in this island, her Majesty may marry some heretic either by compulsion or else for love,[1] and by this means, our country being infected as it is, she may become her husband's thrall, and we and England be thus ruined forever. That there is but too much likelihood of this, your Majesty may perceive from the purpose of marriage between her and the Duke of Norfolk, while it may be also that she will prefer her old friends in France and Scotland to the prejudice and entire destruction of the connexion with the House of Burgundy, which thing we are determined at all costs not to endure.

"The Prince, her son, is in the hands of heretics, and is educated in the heretic belief. We fear that he cannot be extricated from among them, save on conditions which will be dangerous to the Catholic religion

[1] "Par amour."

and dangerous to the English Commonwealth. We admit the right of the Queen of Scots because she is a Catholic, and as long as she survives, these inconveniencies may seem the less to be feared; but should the Queen of Scots die at no distant time, the case is altered. The Prince, her son, will never be accepted by the Catholics unless your Majesty take him under your protection, and unless he becomes himself a Catholic.

"There are other matters also," continued the unknown person[1] by whom the address was sent, "on which it is unnecessary now to weary your Majesty. You will see how ardently these gentlemen devote themselves to your Highness, in God's service, as their only Prince and Protector. We desire, and all Catholics for their own safety ought to desire, to see the administration of their country in your Majesty's hands. The county which these gentlemen inhabit — their names are in the list which we attach[2] — is called Lincolnshire. The position of it by land and sea is convenient, as your Majesty will perceive, for any enterprise which you may think proper to direct against the present Queen. Should your Majesty be unwilling to undertake anything in the present Queen's lifetime, yet in the event of her death, or of any other favourable contingency, we can point out to your Majesty by what means success may be assured, even before you put your hand to the work. We pray God it may please your Majesty to use the services of all and each of us, according to your good-will and power, to obtain an end so excellent in itself, so important to

[1] The address was accompanied by a list of names which has not been preserved, and by a letter unsigned also, but professing to be by one of the gentlemen by whom it was presented.

[2] List not preserved.

the service of God and the common weal of Christendom." [1]

From this document it is evident that distrust of Mary, distrust of Norfolk, and the position of the little James, were paralyzing the energies of the Catholics. Unless Spain was openly at their head they would not move, and the collapse of the insurrection requires no further explanation. It did not imply that the Catholics generally were loyal to Elizabeth, but only that at the crisis of their trial they were smitten with confusion. Their faith was no longer a fire at white heat in which the units would fuse together into a compact and harmonious whole, but a cold opinion which left every man to act for himself, subject to all deflections for his special ends, fancies, and temptations.

To return to the Border.

The Earls having escaped into Scotland, the Regent had now to meet the question, what was to be done with them? The rebellion was part of the general disturbance which was agitating both the realms. It had been plotted by the Bishop of Ross; and the Queen of Scots was the centre of it. In Murray's words, "it had branches unknown, extending to the farthest marches of both the realms." [2] Had Elizabeth fallen, Murray would have gone to the scaffold; and little reason as he had for feeling himself under obligations to her, his own interest was as deeply concerned as hers in extinguishing the last sparks of the conflagration.

[1] Address in the names of the Knights and Gentlemen of Lincolnshire to Philip II: *MS. Simancas.* There is no date upon the MS. It belongs evidently to the year 1569, and was sent probably just before the insurrection, since in the letter there is a paragraph on the services to be expected from the Earls of Westmoreland and Northumberland.

[2] Murray to Cecil, December 22: *MSS. Scotland.*

Elizabeth would now undoubtedly require him to arrest the Earls, and circumstanced as he was he would find it no easy matter either to comply or to refuse.

The quarrel with Maitland had seriously shaken his hold on Scotland. The breach between these two men, who had once worked together so cordially, had now widened into an impassable chasm. They had no longer any single aim which they pursued in common.

Murray had but one principle which guided him in all that he undertook. He was heart and soul a Protestant. His feelings as a brother and a certain inbred generosity of temperament had more than once prevented him from consenting to measures which it might have been wiser and better to have allowed to take their course. He was ambitious for his country, and he had taken perhaps more interest than he ought to have done in his sister's views upon the English succession; but from the time when he could no longer blind himself to her character, he had laid aside every inferior consideration, and had set himself steadily to maintain the cause for which he really cared.

To Maitland, on the other hand, the Reformation had been interesting so far and so far only as it promised political greatness to Scotland. His keen understanding had shown him that the union of the two kingdoms was inevitably approaching; and full of Scotch pride and Scotch traditions, his one hope was to end the long rivalry in the way most glorious to his own people, and to place a prince of Scotch blood on the throne of the Plantagenets. The person was of little moment to him. He had brought the English to Leith in the belief that Elizabeth would marry the Earl of Arran. When Elizabeth refused and the French King died, and Mary Stuart came back, his

energies were then devoted to securing Mary Stuart's succession. When the Queen of Scots had seemingly wrecked her prospects by marrying Bothwell, he had assisted at the coronation of James, believing then that for her own sake Elizabeth would give him the place for which his mother had so long intrigued, and so pacify her own people and gratify Scotland through its pride.

But again Elizabeth disappointed him. Her theories of government, her sympathy with Mary Stuart's sufferings, her dread of the misinterpretation of the world if she did not protect her, kept the question of questions still unsettled. Maitland saw or thought he saw that the Queen of Scots must be eventually restored, and the discontent of the English Catholics and of the noblemen of the whole nation under an insecure and undetermined succession, opened a new opportunity to him through the Norfolk marriage. He had flung himself into the scheme with all his strength, careless where it would lead him, so only he could succeed in his great object. His knowledge, his powerful character, his intellectual cultivation, unusual in any age and unexampled in his own — above all the response in every Scotch breast to the aim which he was pursuing — gave him an influence which shook from Murray's side half of the best of his friends. Even the foolish ministers of the Kirk he had talked over — poor wretches who if he had succeeded would have been handed over to Alva's Blood Council. Knox only, who in mere worldly sagacity was Maitland's match, had been deaf to his persuasions.[1] He had divided the nobles. He had gained Hume and Athol, and, worse

[1] Maitland to Mary Stuart, August, 1569, intercepted ciphers: *MSS. Queen of Scots, Rolls House.*

than all, the chivalrous Kirkaldy of Grange. He had fed everywhere a restless expectation of the Queen's return; and at length the Regent, being determined to check his intrigues, had arrested him, on the evidence of Paris and Crawford, as an accomplice with Bothwell. He demanded his trial, and the 22d of November was fixed to give him an opportunity "for the declaration of his innocency." He wrote to every friend that he possessed, Catholic and Protestant, to request their presence, and when the day came Edinburgh was thronged with the armed retainers of half-a-hundred knights and noblemen who had come together to throw a shield over their favourite.

The Bishop of Ross and the historians who have followed him have charged Murray with personal ambition in assuming the government of Scotland. Never perhaps was there a position which any reasonable man would have less coveted. English statesmen in their calculation of the future of the country placed his murder among the most likely of contingencies. He had narrowly escaped at Northallerton on his return from the Conference. In the past July "Lyon Herald" had "conspired his death" and had been burnt for it.[1] At best he was set to rule the most lawless country in Europe except Ireland, half of it avowedly disaffected, without a revenue, without troops, without a man at his back except his own and his friends' servants. He was held responsible by Elizabeth for the peace of the Borders, yet she would not acknowledge him as Regent. At every turn of her fancy he was expected to be the instrument of her policy, and to receive his sister back either as his Queen or as his prisoner, as convenience or the humour of the moment happened to dictate.

[1] Calderwood.

In such a position there was little to envy; and that supreme and commanding integrity, which alone made a tenure of power under such conditions possible, alone could have tempted him to assume it.

Aware of the intended assembly of Maitland's party, he had quietly, with the Earl of Morton's assistance, collected a force large enough for his own protection if they tried to kill him. This done, he showed "no misliking of the convocation." He received every one who presented himself with his usual courtesy, but before opening the court he requested them all to meet him in the Council Room. There he reminded them briefly that when he was in France they had elected him to the Regency without his knowledge and against his will. He had sworn to administer justice faithfully during his government, and they on their part had promised to assist him in the execution of his office. They had now assembled in arms to prevent justice from being done, and he desired them to consider whether this was to observe their engagements. He had not interfered with their meeting; he had wished to show them that they could not frighten him; he had now merely to say that their further presence was unnecessary, as the trial would be postponed till it could be fairly conducted.[1]

The Lords listened with such patience as they could command. They dispersed quietly, but Murray knew what their attitude boded. If the rebellion of the Earls gained head in England, they would immediately revolt. He sent word therefore to Elizabeth that he would assist her to the utmost of his power, and at once went down to the Border with all the men that he could collect. Thus it was that he came to be at

[1] Murray to Cecil, November 22: *MSS. Scotland.*

Jedburgh when the Earls arrived in Scotland. The English army had halted on their own frontier, but a demand was sent from Berwick to the Regent requiring him to arrest and give them up. By the treaties between the two countries, traitors were excluded from protection, but this particular article had never been observed. The Scots were tenacious of their right of asylum, and especially sensitive when England attempted to violate it. The Border outlaws, who would plunder a church with the same indifference with which they would sack a farm-house, drive their neighbours' cattle, or cut his throat, regarded the protection of a fugitive on either side of the line as the one duty of which neglect was disgraceful. To fly in the face of such a feeling would have been extremely dangerous at any time, and at the existing crisis their ordinary jealousies were aggravated by the resentment of party. The Scotts, the Kers, the Maxwells, the Humes, the Hepburns, were all Catholics, all devoted to the Queen of Scots, all sympathizers with the English Earls. Murray asked whether he might look for any assistance from Elizabeth to enable him to maintain a regular force. He had no resources of his own for such a purpose. "His own life was directly sought," and as things stood, it was Elizabeth's interest to uphold him.[1] He might have foreseen the answer to such an application. Nevertheless, for the sake of the good cause, with a half consciousness that he was sealing his fate in doing so, he determined to brave the popular feeling, and if he could not give up the Earls, at least to make them prisoners. Lady Northumberland had been left behind in the first haste of the flight. Her husband wished to rejoin her, and Hector Arm-

[1] Murray to Cecil, December 22 (midnight): *MSS. Scotland.*

strong, Hector of Harlaw, whose name was ever after infamous in Border story, undertook to guide him. The Regent had notice where to look for him, and a party of horse were on the watch. He was taken somewhere in Liddisdale, not without a struggle. Some English borderers tried to rescue him, and Captain Borthwick, who commanded the Regent's troops, was killed; but the men did their duty, and the Earl was brought safely into Jedburgh.

Westmoreland and the Nortons, it might be thought, could have been taken more easily, for they were close under Murray's hand. Two miles up the valley through which the stream runs from which Jedburgh takes its name, on the crest of a bank which falls off precipitously to the water, stand the remains of Fernihurst, then the stronghold of the Kers. It was on a scale more resembling the feudal castles of the English nobles than the narrow towers in which the lords of Scotland commonly made their homes; and although the bugle-note blown upon the battlements could be heard in the marketplace of the town, the laird of Fernihurst offered an asylum to the fugitives, and there the whole party, except Northumberland, was soon collected. The Regent sent to demand them. Fernihurst answered that if he wanted them he must come to fetch them, and Murray, who had a strong force with him, made an effort to punish his insolence. But before Murray came in sight of the castle, his men deserted so fast, that out of eight hundred whom he took with him out of Jedburgh he had but two hundred remaining. It was a symptom too alarming to be neglected. Placing Northumberland on horseback in the middle of a party of troopers, he made straight for Edinburgh, and thence transporting him over the Forth,

he sent him to occupy the rooms which Mary Stuart had left vacant in the island tower of Lochleven. Nothing could have occurred more unfortunate for the Regent's influence; nothing that he could have done could have given him a stronger and more immediate claim on Elizabeth's support. Not the Border only but all Scotland was shaken. The national pride was touched, "and there was a universal cry that, cost what it would, the Earl should not be given up. The liberty was broken which should be free to all banished men." [1] Even Morton, who was Murray's main stay, declared that his country was disgraced. "Between Berwick and Edinburgh the Regent could not find one man to stand by him," [2] "and where he had ten mortal enemies before, he had now a hundred." Along Tweed and Teviot the indignation rose to madness. The hospitality of the Border had been consecrated by the practice of two hundred years,[3] and the fugitives at Fernihurst, who had come there "hunted and dismayed," found themselves suddenly in better case than when they were at Durham," for they had a whole kingdom at their back "bent to succour them." [4] Under these circumstances, if Elizabeth intended to persist in her demand for their extradition, it might have been expected that she would have

January.

1 Hunsdon to Cecil, December 31: *MSS. Border.*

2 Same to the same, January 11: *MS.* Ibid.

3 "Half Scotland is like to rise against the Regent," wrote Sadler on the 9th of January. — *MSS. Border.* "The most part of the nobility," wrote Hunsdon, "do think it a great reproach and ignominy to the whole country to deliver any banished men to the slaughter, accounting it a liberty and freedom to all nations to succour banished men" — Hunsdon to Elizabeth, January 13. *Memorials of the Rebellion.* And again: "The Earl of Morton is bent for the maintenance of the rebels. He does account it a great shame and reproach to all the country in doing the contrary." — Hunsdon to Cecil, January 11.

4 Same to the same, January 11: *MSS. Border.*

ordered her army to advance into Scotland, to help the Regent to execute her wishes. Had she been as conscious as her ministers of the actual humour of England, she might perhaps have done so. Northumberland since his capture had spoken freely of the magnitude of the Catholic Confederacy. He had threatened the Regent with the vengeance of the whole English peerage if he gave him up; and Lord Hunsdon, too conscious of the breadth of the disaffection, warned her that the troubles were not at an end, but only beginning. "She should make no account of money." "If she looked not to the bottom of the matter, the sore would fester and break out worse than ever." "It would fall out to be the greatest conspiracy that had been in the realm for a hundred years."[1] The Southern Catholics at that very moment, angry with themselves for their weakness, were concerting fresh measures to renew the struggle. Southampton and Montague sent to the Spanish Ambassador to beg him not to accept the Earls' discomfiture as an index of their real strength. They desired only that the Pope would relieve them of the uncertainty which had divided the North.[2] If the Pope would excommunicate Elizabeth and absolve them from their allegiance, they would not fail a second time. They would make arrangements beforehand that every man might know what was expected of him. They would then rise everywhere in a single day, and never rest till the Catholic religion was reëstablished.[3]

[1] Hunsdon to Cecil, December 29: *MSS. Border.*

[2] "Tan bien me ha dicho el obispo de Ross que los Catolicos de aqui desean que su Santidad con alguna Bulla publicada en parte que aqui se entendiese, los diese libres de juramento que á esta Reyna han hecho, por no ser ella Catolica y intitularse Cabeza desta Iglesia." — Don Guerau to Philip, January 18: *MS. Simancas.*

[3] *MS.* Ibid.

Elizabeth, not suspecting, or not choosing to suspect, the extent of treachery that was going on, believed that she could disarm conspiracy by seeming confidence;[1] yet with singular inconsistency, as will be presently seen, she was punishing the least guilty of the Northern rebels with a barbarity which could only be excused by her panic. She was bent upon getting the Earls into her hands, because she intended to try them and confiscate their estates, and she doubted whether in their absence she could carry their attainder through the House of Lords. At the same time she was quarrelling with the expenses, and quarrelling with the most loyal of her Council, whom she accused of having involved her in them. She listened, if she listened at all, to those "back councillors" whom Cecil so much dreaded, and of whom he so unceasingly complained. Still insisting that Murray should deliver Northumberland to her, she insisted at the same time that, as the rebellion was over, her army should be immediately dismissed; and so hasty, so peremptory, she was on this last point, that Sussex was compelled to disband half the troops with no better pay "than fair words and promises," while Scotland was exasperated into fury, and three counties were being driven wild with wholesale executions, which were only so far discriminating that the poorest of the people were chosen to be sufferers.

The opinion of the want of wisdom which Elizabeth was displaying in these matters is not the presumptuous censure of the half-informed modern historian. The disapprobation must have gone deep, when Cecil could have so written about her conduct as to call out

[1] "Let her Majesty look well to herself and not think all gold that glitters." — Hunsdon to Cecil, December 29.

the following answer from her own cousin and her most faithful servant Hunsdon:

LORD HUNSDON TO SIR WILLIAM CECIL.[1]

"*Berwick, January* 13.

"I have received your letter of the 6th with a letter from her Majesty touching the Earl of Northumberland and the rebels, whereof you are not ignorant. I was glad of the coming of the letters, because I looked long for them, and secondly, because I hoped for better news than I have therein found, and especially in yours, which hath so appalled me as I am almost senseless, considering the time, the necessity her Majesty hath of assured friends, the needfulness of good and sound counsel, and the small care it seems she hath of either. Either she is bewitched, or else this practice of her destruction which was meant should have taken place perforce and by arms, being burst out before the time, being partly discovered and a little overthrown, is meant to be performed by practice and policy. For what nearer way can there be to achieve to this purpose than to discredit her faithfullest councillors, and to absent her most assured friends from her, whereby they may work all things at their will? I will condemn none, but God send her Majesty to have trusty friends about her and to follow good counsel; for although the upper skin of this wound be partly healed, the wound festers, and if it burst out again I fear me it will be past cure. It grieves me to see that her Majesty cannot be induced to think well of those that serve her best."

Considering that as yet not a single blow had been

[1] *Border MSS.*

struck in the rebellion, and that the active violence had been confined to the bloodless capture of Barncastle, the work of vengeance which the Council of York were unwillingly compelled to execute had been beyond example cruel. Though the leaders had escaped, many gentlemen had been taken in the closeness of the pursuit, and the prisons at Durham and York were crowded with unfortunates who had straggled back to their homes, and had been denounced and arrested. It was the theory of the Constitution, sanctioned so far by immemorial custom, that the lands as well as the lives of traitors should be forfeited to the Crown. Under the feudal system estates were held under the sovereign in consideration of active duties to be performed by the holder. Although military tenures were lapsing into more immediate and absolute ownership, yet security of property under the law involved as a matter of course obedience to the law, and, irrespective of higher considerations, all governments must be held entitled to indemnify themselves for the expense of repressing rebellion at the cost of those who have occasioned it. That the Crown in the present instance was entitled to avail itself of its right was implied in the nature of the case. Rebellions are never without pretexts which can be pleaded in their justification. The long peace which the country had enjoyed, the cessation of State prosecutions in so striking a contrast with their frequency in the previous reigns, the general prosperity of England contrasted with the confusion and anarchy of the continental kingdoms, gave the Queen a fair claim upon her subjects' loyalty. The Catholics had not been permitted the open exercise of their religion; but there had been no inquisitions, no meddling in private with the rights

of conscience, no revenge for the Marian persecutions. Her sister's bishops had been deprived and imprisoned for refusing to take the oath of allegiance, but the government, wherever it had not been openly defied, had closed its eyes to the evasion of the law. The country was still full of Catholics, and the Protestant authorities had been prohibited from indulging their natural desire to punish them. In fact if not in theory there had been substantial toleration ; and whatever may be thought now of the prohibition of the mass, the success in modern times of a more generous system is no proof that it would have answered amidst the passions of the Reformation.

It may be said that so far Elizabeth had governed the country extremely well and with extreme forbearance. In declining to marry she had indeed severely tried her subjects' patience, and the difficulty of choosing a successor from among the many competitors should have furnished an additional inducement to overcome her natural reluctance. If ever circumstances could be conceived which demanded a sacrifice of such a kind, the prospects of England in the event of Elizabeth's death left her in this respect without excuse. Yet towards the Queen of Scots, "the daughter of debate," who was the occasion of her worst perplexities, she had acted with a weakness which her loyal subjects had a right to condemn, but which, justly looked at, had left little ground for complaint to the friends of her rival. She had saved her life, and she had saved her honour, when she might have spared herself all further trouble on her account by publishing the proofs of her infamy. These proofs Northumberland and Westmoreland had seen, had admitted, and in the rebellion itself had never ventured

to challenge; yet they had committed the last and worst form of treason — they had invited a foreign army into the kingdom, emperilling the national independence as well as the throne of the sovereign. There was nothing therefore except its bloodlessness in the circumstances of the rebellion which called for any particular leniency, and those who look back upon such a condition of things from times when the danger from similar combinations has long passed away, are apt to be misled by their natural compassion for sufferers, and from the instinctive sympathy with those who risk and lose their lives in a public cause.

It is equally certain, however, that there may be seen in the conduct of the Government at all times, and after all necessary allowance, the working of questionable passions; and the retributions inflicted upon the Northern insurgents show undoubtedly that anger and avarice had for a time overclouded Elizabeth's character.

The complaints of the Queen about expense while the rebels were in the field had been incessant. Every letter which Cecil wrote contained some intimation or other of the extreme difficulty of getting money from her. After the flight and dispersion from Durham, orders were immediately sent down that "some of the rascals should be hanged by martial law,"[1] but care was to be taken that none of the "richer sort" should suffer in that way. Death by martial law would not touch property, and the object was to make sure of the forfeitures.

Lord Sussex still received "hard constructions" at the Court; "he was supposed to have connived at the Earls' escape, and to have neglected precautions which

[1] Cecil to Sadler, December 20: Sadler *Papers*, Vol. II.

would have prevented them from reaching Scotland."[1] The Queen therefore determined to make him the instrument of her severity, and he was directed to make a list of all the principal persons known to have been with the rebels, or to have assisted them with armour, food, or money. These persons he was immediately to arrest. If he was anywhere at a loss, he might take men on suspicion. He was to commit them "to strait prison," "and as need should be" "pinch them with some lack of food and pain of imprisonment till they declared the names of as many as they could remember." This done, on a given night, and at the same hour, there could be a general seizure; especial care being taken to apprehend "all priests, constables, bailiffs, and others, that had held any office."[2] The fish thus netted were then to be sorted into two classes: "of those who had no freeholds, copyholds, nor any substance of lands," a sufficient number were to be selected, and to be immediately hanged by martial law in the parish green or marketplace where the rebels had held their assemblies: the servants of any principal insurgent were to suffer also, the scene of their execution being the neighbourhood of their masters' houses; and "the bodies were not to be removed but to remain till they fell to pieces where they hung."

The rest were to be formally tried, that her Majesty might be duly assured of her escheats. If "corruption or lucre" prevented a fair verdict — that is to say, if judgment were not given for the Crown — the prisoners were not to be released, but the trial adjourned to the Star Chamber.

[1] Cecil to Sadler, December 25.

[2] Cecil added in a separate clause: "Some notable example to be made of the priests that have offended in this rebellion."

"For the avoiding of desperation," a proclamation was sent out that any one who was not already taken and would surrender of his own accord might be received to mercy. But it was added that if those who had been culpable should fly from the country they should never receive pardon at all.[1]

The first part of these instructions was immediately acted upon. An indefinite number of unfortunate people were seized, and out of them six or seven hundred artisans, labourers, or poor tenant farmers were picked out for summary execution. Lord Sussex was scrupulous not "to include any person that had inheritance or wealth, for that he knew the law." Those were chosen whose worst crime was that they had followed the gentlemen who by the constitution of the country were their natural leaders, and these, besides "the prisoners taken in the field," were to be distributed about Yorkshire and hanged. "He meant to use such discretion," he said, "as that no sort should escape for example, and that the example should be, as was necessary, very great."[2]

If the seventy persons hanged in hot blood after the fight at Carlisle be not included, the number of persons executed after the Pilgrimage of Grace did not exceed forty, and among those "the common sort" were not represented. The tendency of a government to be harsh is in the ratio of its weakness; and Elizabeth, to whom nothing naturally was more distasteful than cruelty, when Sussex's arrangements were made known to her, was only impatient that they should be completed. There had been some delay, perhaps in determining the spots where the

[1] Notes for the suppression of the rebellion, December 31, 1569.
[2] Sussex to Cecil, December 28: *MSS. Border.*

executions were to be. She wrote on the 11th of January that "she somewhat marvelled that she had as yet heard nothing from Sussex of any execution done by martial law as was appointed." She required him, "if the same was not already done, to proceed thereto with all the expedition he might, and to certify her of his doings therein."[1] Sussex had no need of the spur, and had been only too anxious to clear himself of suspicions of disloyalty. Before the letter reached him the victims had been made over to the Provost Marshal. Sir George Bowes, who had undertaken to superintend the process, was stringing them leisurely upon the trees in the towns and village greens. Eighty were hanged at Durham, those chiefly who had taken a part in the Catholic jubilee at the Cathedral. Forty suffered at Darlington, and twenty of Bowes's own deserters on the walls at Barncastle. It is some relief to find that the wives and children of those who were executed "were favourably dealt with;" orders were given that "not only they should have no cause to complain, but should be satisfied" — whatever that might mean.[2] But the hanging business itself went on rapidly and mercilessly; "the lingering bred offence:" and on the 23d of January, Bowes reported that he had put to death "about six hundred," besides those who had been disposed of by Sussex himself.

Among contemporary engravings representing the condition of Europe at this period, may be seen pictures, intended to excite the pity and the passions of the Protestants, of the scenes in the French and Flemish towns when they were taken by the Catholic

[1] Elizabeth to Sussex, January 11: *MSS. Border.*
[2] Bowes to Sussex, January 8: *Memorials of the Rebellion.*

troops. There is death in all its horrors; men torn in pieces by wild horses, children tossed to and fro upon the soldiers' pikes, families perishing amidst their own blazing houses. But chiefly noticeable are long rows of what once were living men, artisans and tradesmen, in their simple working dresses, dangling in seemingly infinite numbers as far as the eye can follow them down the narrowing streets. Twenty Huguenots were murdered in France for every Catholic in England. But in those Northern villages there were spectacles of the same description. The difference was in the degree of the cruelty not in its kind. Sir George Bowes reported "that the people were in marvellous fear," and that the authors of the rebellion were cursed on every side.[1] But it was a fear which was accompanied with no sense of deserved suffering. Their condition, as described by a correspondent of Cecil's, was rather one of "mad desperation," and a passionate prayer for some turn of fortune which would give them their chance of revenge. They saw the gentlemen who were the occasions of the mischief spared — they knew not why. They saw themselves hunted down and destroyed as if they were wolves, and the effect of "the example" was only to increase the danger of another insurrection.[2]

Still Elizabeth was not satisfied. She seemed pos-

[1] Sir George Bowes to Ralph Bowes, January 23: *Memorials of the Rebellion.*

[2] "Though many have suffered and many are shorn to the bare pilch, yet because few or none of the gentlemen have tasted of judgment who only were the incentors to all, the danger is rather doubled than in any respect foredone." — —— to Cecil, February 6: *MSS. Border.* In Northumberland, where Warwick commanded, there was comparative mercy. In Yorkshire and Durham the Catholics flattered themselves "that the execution of so many poor men had hardened and exasperated the rest." — La Mothe, January 21: *Dépêches*, Vol. II.

sessed by a temper unlike any which she ever displayed before or after. When the martial law was over, she ordered the Council of York "to attaint all offenders that might be gotten by process or otherwise;" till at length the Crown prosecutor, Sir Thomas Gargrave, was obliged to tell her that if she were obeyed "many places would be left naked of inhabitants;" "the poor husbandman, if he was not a great Papist, could become a good subject," and she would do well to grant a general pardon, from which only a certain number should be excepted.[1]

The turn of those came next who had property to be escheated, and who were therefore to be dealt with less precipitately. With these an unexpected difficulty arose from the Palatinate rights of the Bishop of Durham. There was a fear that the forfeitures within "the bishoprick" would fall to the See; and Sussex, wishing to so manage matters that the Queen "should take a good and a long breath upon these northern gentlemen's lands," suggested that she should either "compound with the Bishop for his royalties," or else translate him to some other diocese, when, in the vacancy of the See, "all would grow to her Majesty."[2]

Elizabeth would not have allowed a bishop to stand between her and "her commodity," and had the law stood as was at first supposed, she would have found her way through it somehow. But Sussex, it seems, was mistaken. Pilkington ventured a faint plea for himself. The Queen ordered him back to his duties, from which he had fled at the outbreak of the rebellion, and the law authorities ruled that in cases of high treason, by the 25th of Edward III., "all forfeitures

[1] Sir T. Gargrave to Cecil, February 6: *MSS. Border.*
[2] Sussex to Cecil, December 25: *MS.* Ibid.

of escheats, in all places and under all circumstances, belonged to the Crown." [1]

This objection being disposed of, a Special Commission sat at York, and the trials began. The most important of the prisoners were carried to London that their examinations might be taken by the Council before their execution. Of the rest, a number of gentlemen were tried, of whom eleven were found guilty. Four of these were immediately put to death; seven were recommended to mercy for reasons which might not have been anticipated, but which, when mentioned, become intelligible.

The first, Henry Johnson, had married a daughter of old Norton. He was described as "a simple person abused by his wife;" but he was not to be spared for "his simplicity." His estates were settled on his wife, "so that by his life the Queen would have his lands, and by his death his wife would have them."

Two others, Leonard Metcalf and Richard Claxton, were in the same predicament. They were both men of hitherto blameless conduct, but the argument in their favour was that the Government would lose by their execution.

John Markinfield, a boy under twenty, was attainted "only to bring his title to his brother's lands to the Queen." [2] It was not meant that he should die, for that he had no land."

Ralph Coniers was a Protestant who had been led into the rebellion only by loyalty to the Earl of Westmoreland. He had only a life interest in his estates.

[1] *Border MSS.*, February 19, 1570.

[2] The elder Markinfield, who had been one of the principal movers of the rebellion, was with Westmoreland at Fernihurst. If he was not given up he could be attainted by Parliament; but his brother had some right in the estates which his attainder would not touch.

Richard Lambert, alone out of the seven, the Queen was advised to spare on the fair ground of good character.

The most singular argument for clemency was that which was urged in behalf of the last — Astolph Cleisby: he had no property, and there was thus no special incentive for his execution; Lord Hunsdon's son, Henry Carey, once thought of for the Queen of Scots, was a suitor for one of the three daughters and co-heiresses of Lord Coniers. It was conceived that Cleisby, "being in great credit with all the sisters," "might assist if his life was spared in bringing about the match."[1]

After some hesitation Elizabeth admitted the recommendations, and all the seven were spared.[2] Two sons of old Norton and two of his brothers, after long and close cross-questioning in the Tower, were tried and convicted at Westminster. Two were afterwards pardoned. Two, one of whom was Christofer, the poor youth who had been bewitched by the fair eyes of the Queen of Scots at Bolton, was put to death at Tyburn with the usual cruelties.

But so far, after all, the Queen had gained but little. The principles on which the gentlemen had been dealt with had not tended to satisfy the commons as to the equity of an administration which had hanged the poor without mercy, and spared the rich who misled them, when anything was to be gained by their lives; while the owners of the great estates which were to repay the expenses of the army were safe within the Scottish Borders.

[1] Proceedings of the Commission at York: *Memorials of the Rebellion.*

[2] It is interesting to observe that Henry Carey did not, after all, obtain the object of his wishes. — Dugdale, Vol. II. p. 291. *Article*, Coniers.

If they escaped abroad the Queen could not touch their lands without an Act of Parliament, and in the way of this there would be difficulties which she was earnest to avoid. She again wrote therefore to demand them of Murray; but Murray, had he been willing to comply, was evidently without the power, and she had to think of other means. If force was costly, treachery might be cheap. Sir Robert Constable has been seen once in the discharge of his dishonourable office. Still maintaining the character of a concealed friend, he followed his cousin to Fernihurst, where he was warmly received by the Laird and all the party. Both Westmoreland and old Norton complained of the cowardice of the Southern Catholics; and Constable, whose business was to tempt them if possible to come back to England and sue for their pardons, humoured their discontent, and began cautiously to suggest, that, instead of trusting to rebellion, they should try some other plan. Westmoreland was proud of his birth, proud of his honourable house, and shrunk with English sensitiveness from a taint upon his scutcheon. It was easy to persuade him that he would be of more use to the cause which he had at heart, by working legitimately by the side of his friends at home, than by staying abroad and waiting for revolution, or by intriguing to bring foreign armies upon the soil of his country. Westmoreland was soft and weak. "The tears overhailed his cheeks abundantly." Norton appeared equally penitent. They both thought it might be better for them "to take their chance by voluntary surrender than to risk being taken." The moment for the temptation was well chosen. Westmoreland had reason to doubt the continued hospitality of Fernihurst. He had been amusing himself with the Laird's

"new wanton lady," a daughter of Sir William Kirkaldy, and had disturbed the peace of the household. Constable advised them to go to England and "hide at some friend's house," from which they "could make their submission, craving nothing but life." He offered them "his own guides," "Border outlaws, who would not betray any man that trusted in them for all the gold in Scotland or in France." He even said in his generosity, "that he would receive them in his own home, where they might be sure of such safety as he could provide; for if they were taken he would hang at their side."

They required a few hours to consider. To support his character, Sir Robert spent the night at a house in Jedburgh, which was the haunt of the most desperate men upon the Borders. The place was thronged with them. They were playing at cards when he came in, "some for drink, some for hardheads."[1] He sat down at the game. They were talking of the Regent. "They wished they had Hector of Harlaw's head to be eaten among them at supper; and as to Murray, "some said he could not, for the honour of his country, deliver the Earls, if he had them both, unless the Queen was restored;" others, that "if he would agree to that change, the Borderers would start up and rieve both Queen and Lords from him, for the like shame was never done in Scotland."[2] The next morning he saw Westmoreland again. Neither he nor Norton had made up their minds. The Earl said he could not leave Fernihurst without making the Laird some present for his hospitality. He desired Constable to go to the Countess, who was still in Eng-

[1] A small coin.

[2] Constable to Sadler, January 12: Sadler *Papers*, Vol. II.

land, and ask her to give him some choice jewel, with which he could return to Jedburgh. After that he gave him hopes that he would follow his advice, and Sir Robert went back over the moors, "the extremest day of wind and snow that ever he did ride in," to make the necessary arrangements with his employers.

"Although," he wrote to Sir Ralph Sadler, describing what he had done — "although it was a traitorous kind of service that he was wading in to trap them that trusted in him, as Judas did Christ, yet, to prevent the ills which might come of their liberty, neither kindred nor affection should withhold him to allure them to come to submission. He hoped the Queen would pardon their lives. Should it turn to the effusion of their blood, his conscience would be troubled all the days of his life." At all events, he trusted that they would not be seized while under his own roof. There would be opportunities to take them upon the road; he could "turn the ball into the warden's lap." But his secret must be kept; "sooner than his doing should be known, he would rather be torn every joint from other." If the Earl and Norton changed their minds, the Laird of Fernihurst was poor and covetous. He was jealous of Westmoreland, and he had those about him "that might persuade him to do anything for profit." "A thousand pounds wisely bestowed would effect more than ten thousand men." [1]

Lord Hunsdon, it seems, had no inclination for dealings of this kind. He never ceased to urge that the Queen should "more regard her honour than her purse." Sooner or later she would be obliged to send troops into Scotland, or "receive the shame to have

[1] Constable to Sadler, January 12: Sadler *Papers*, Vol. II.

her rebels kept whatever she could do."[1] Sadler, however, sent Constable's letter on to the Court; Cecil showed it to the Queen; and after receiving her instructions, replied that Constable was to be encouraged to proceed. "Her Majesty," he said, "will have him secretly dealt withal to prosecute his enterprise, to train the rebels to his house, or otherwise to some place in England, where they may be so apprehended as he may escape the imputation of any crime. The rather for the covering of the enterprise, he (Constable) may also be apprehended, and be outwardly charged with offences against her Majesty, and in so doing her Majesty commands me to assure you he shall be largely rewarded." "If this enterprise cannot take effect, then her Majesty would he should make offer of money to some in Scotland for apprehending of them, and whatever you shall warrant him to offer, not being above 1000*l.*, it shall be performed; her Majesty is very desirous to have these noysome vermin taken."[2]

"The less the sum be," wrote Sadler, in sending the order on to Constable, "the better service shall you do, and the greater will be your own reward. Her Majesty doth take your services in good and thankful part; her Highness's pleasure is that you proceed in that you have begun."[3]

But Elizabeth was not permitted to soil her fame with successful treachery. Before Constable could return to his villain work, a darker treason had struck a nobler victim; and in the outburst of anarchy which

[1] Hunsdon to Cecil, January 22: *MSS. Border.*
[2] Cecil to Sadler, January 18: Sadler *Papers*, Vol. II.
[3] Sadler to Constable, January 23: Ibid.

followed in Scotland, she learnt the lesson which Hunsdon had laboured in vain to teach her.

The Earl of Murray was as conscious as Cecil that the interests of Scotland and England could not be separated. It was as essential to the stability of the throne of Elizabeth that his own Regency should be maintained, as it was to himself that the Catholic noblemen should fail in their intended revolution. With a fair understanding he was ready to brave unpopularity, and to assist her by repressing the sympathizers with the Earls, if she in turn would support him against the party of the Queen of Scots. It was impossible for him to continue to work upon the terms which Elizabeth had hitherto imposed — to do what she required as if he was her subject, yet to do it without recognition, without help, at the expense of himself and his friends. At such a crisis as the present to fly in the face of the traditions of his country, was to expose himself to almost certain destruction by exasperating the national jealousy of the most sensitive people in the world.

Such relations between them could not last, and it was high time that Elizabeth should know it. To her last demand for the extradition of the refugees the Regent replied by sending his secretary, Elphinstone, to Cecil, "with a private communication." Many a bitter wrong had Murray to complain of, had he cared to dwell upon his personal grievances; but personal ill-treatment was never a matter on which he cared to dwell. After touching on the rebellion, he ran briefly over the events of the three past years; the murder of Darnley, the marriage of Mary Stuart with Bothwell, the sequestration of her person at Lochleven, her escape, and the battle at Langside. The flight into

England had followed, and afterwards the practices of the Queen to sow sedition, to maintain Papists, to pretend title to the crown, to marry with the Duke of Norfolk, and to be restored to her own government; while Murray himself had been forced to despair of the favour of the Queen's Majesty, "by means that the said Scottish Queen had such favourers in England, as well of Papists as others that favoured her marriage."

Under all disadvantages he had held his ground in the Regency for two years; but he had come to the end of his resources. The Queen's partisans were labouring incessantly to undermine and overthrow him. "Those who had been concerned in the murder" were afraid of being punished by him; "the Hamiltons and the Earls of Huntly and Argyle being of alliance in blood, would ever be adverse to the King;" and he was left almost alone to sustain the malice and danger of all those parties. The noblemen who had stood by him at the beginning "were wearied with continual charge of assemblies." "They served at their own cost at Langside, afterwards in a journey into Galloway, next in the Parliament in August, 1568; after that, in the journey into England, then in the journey to Glasgow to meet the Duke and Lord Herries, then in the months of March and April on the Borders. Again, there had been the long and costly journey into the North against the Earl of Huntly and his partakers;" "then the convention at Perth, and then service again upon the Borders." All this he and his friends had done without assistance, from their own means. For the future, if Elizabeth meant "to take profit by Scotland," she must be prepared to take a share in the expenses. 2000*l.* a year, with a supply of powder and

arms, would be sufficient; but that sum at least he was entitled and obliged to ask, and to demand further, that she would openly recognise the King's government, and declare to the world that she intended to maintain it. These two requests conceded, he would undertake to govern Scotland in the manner most conducive to Elizabeth's interest; otherwise, "he must forbear to venture his life as he had done." If he was less careful to please England he could make his position easier at home; although it was true that dangers would then ensue to both the realms, by the increase of the Popish factions. He desired Elizabeth to be reminded that "she had the head of all the troubles at her commandment. The rebellion was not ended, it had more dangerous branches, and if it was not now remedied the fault would lie with her Majesty."[1]

There was not a word in all this which was not most reasonable and true, but Elphinstone came to the Court at an inconvenient time. Impatient, unjust, and headstrong, Elizabeth said, that for the money and the other matters of which Murray had written, she would think over the subject, and send some one to communicate with him about it. Meantime, she must have "her rebels." Sadler, Sussex, Hunsdon, had told her with one voice that it could not be — it would cost Murray his life to try it; but she did not care or did not choose to believe them. The rebels, she said, "besides high treason against herself and her crown," "had purposed the alteration of the common religion established in both the realms;" they must be given up to her at once.[2]

[1] Murray to Cecil, January 14: *MSS. Scotland.* Notes of the matter of Mr. Elphinstone's instructions: Ibid.

[2] Elizabeth to Murray, January 28.

The ink was scarcely dry upon her letter before she learned that the fears of those who understood Scotland better than herself had been too fatally justified.

Although to the Catholics, to the friends of Mary Stuart, to the friends generally of anarchy and the right of every man to do as he pleased — a large class at this time in Scotland — the administration of Murray was in every way detestable, yet the disinterested integrity of his character, the activity and equity of his government, had commanded respect even from those who most disliked him. They might oppose his policy and hate his principles, but personal ill-will, as he had never deserved it from any one, had never hitherto been felt towards him, except by his sister. The arrest of Northumberland, and the supposed intention of surrendering him to Elizabeth, had called out a spirit against him which had not before existed, and an opportunity was created for his destruction which had been long and anxiously watched for.

The plot for the murder was originally formed in Mary Stuart's household, if she herself was not the prime mover in it.[1] The person selected for the deed was James Hamilton of Bothwellhaugh, nephew of the Archbishop of St. Andrew's and of the Duke of Chatelherault. The conduct of the Hamiltons for the ten past years had been uniformly base. They had favoured the Reformation while there was a hope of marrying the heir of their house to Elizabeth. When this hope failed, they tried to secure Mary Stuart for him; and when she declined the honour, thought of carrying her off by force. The Archbishop had been

1 "Dice el dicho Embajador de Escocia que era ya cosa concertada entre particulares criados de la Reyna." — Don Francis de Alava to Philip: Teulet, Vol. V.

a party to the murder of Darnley. He had divorced Bothwell and helped the Queen to marry him, in the hope that she would ruin herself. When she was at Lochleven the house of Hamilton would have voted for her death if their title to the crown had been recognised. Had they won at Langside she was to have repaid their service by marrying the Abbot of Arbroath.

A steady indifference to every interest but their own, a disregard of every obligation of justice or honour, if they could secure the Crown of Scotland to their lineage, had given a consistency to the conduct of the Hamiltons beyond what was to be found in any other Scottish family. No scruples of religion had disturbed them, no loyalty to their sovereign, no care or thought for the public interests of their country. Through good and evil, through truth and lies, through intrigues and bloodshed, they worked their way towards the one object of a base ambition.

Murray was the great obstacle. With Murray put out of the way the little James would not be long a difficulty. For the present and for their immediate convenience they were making use of Mary Stuart's name, as she for her own purposes was making use of theirs. The alliance would last as long as was convenient, and at this point they were united in a common desire for the Regent's death.

Bothwellhaugh had been taken at Langside. His life was forfeited, and he had been pardoned by Murray, against the advice of those who knew his nature and the effect which generosity would produce upon him. His lands had been escheated and taken possession of, his family were removed from his house, and picturesque visions of a desolate wife driven out into the woods to wander shelterless, have served in the

eyes of Mary Stuart's admirers to justify the vengeance of a half-maddened husband. But the story rests on legend. Such indeed had been the actual fate of Lady Murray when Mary Stuart was in the flush of her successes after her marriage with Darnley; but the Castle of Hamilton was large enough to receive the household of so near a kinsman of its chiefs, and Bothwellhaugh was the willing instrument of a crime which had been concerted between Mary Stuart's followers and the sons of the Duke of Chatelherault. Assassination was an accomplishment in his family. John Hamilton, a notorious desperado, who was his brother or near relative, had been employed in France to murder Coligny, and, singularly enough, at that very moment Philip II., who valued such services, had his eye upon him as a person who might be sent to look after — so Philip pleasantly put it — the Prince of Orange.[1] The cavalier would have taken with the utmost kindliness to the occupation, but his reputation for such atrocities was so notorious that Philip was advised to choose some one against whom the Prince would be less likely to be upon his guard.[2]

Edinburgh not offering convenient opportunities, an

[1] " Caias me ha dicho de parte de V. Mag^d que mire si seria á proposito este Cabellero Escoces para enviarle á buscar al Principe de Orange. El dicho Cabellero es tenido por animoso mucho, y ha lo mostrado en dos cosas particulares que se le han encommendado, que siendo muy difficultosas las ha hecho muy redondes; y creo que con solo ponerle yo en que fuese á buscarle, sin que entendiese que es voluntad de V. Mag^d, lo hará y se arrojaria á cual quien peligro. Pero parece que un hombre tan notado y conocido por los casos que le han sucedido, y que tambien es notorio en Francia y en otras partes que le convidaban á matar al Almirante, podria con mas difficultad que otroir al efecto arriba dicho sin ser descubierto." — Parecer de Don Francis de Alava, February 24, 1570: *MS. Simancas.*

[2] Singularly also, after his present work was accomplished, the choice for this purpose fell actually on the murderer of Murray. It was no fault of Bothwellhaugh that he was not either the executioner or contriver of both

intimation was brought to Murray that if he would go to Dumbarton Lord Fleming was ready to surrender the Castle. He went as far as Glasgow but only to find that he had been misled, and he returned after a few days to Stirling. Bothwellhaugh had been on the watch for him at more than one spot upon the road, but he had been unable to make certain of his aim, and he did not mean to risk a failure. Circumstances requiring the Regent's presence again in Edinburgh, he left Stirling on the afternoon of the 22d of January,

of the vilest assassinations which disgraced the sixteenth century in Europe.

On the 23d of September, 1573, Bothwellhaugh wrote thus from Brussels to Alava: —

"My affairs, thank God, are in good case. I found the Duke of Alva at Amsterdam, where I spoke with Albornoz (the Duke's secretary) on the thing you wot of. The King of Spain will, I hope, soon know my desire to serve him. I am working on all sides to put matters in train, and I have found a gentleman of my nation who has been a captain in Haarlem well fitted for such an enterprise. He is very brave, and I have so worked upon him with promises and persuasions that he has gone after the Prince of Orange to finish the job. Trust me, if the thing is practicable he will do it." — Teulet, Vol. V. The gentleman, notwithstanding his fitness, failed. But Hamilton was not disheartened and made another trial.

On the 16th of May, 1575, Aguilon, secretary of the Spanish Embassy at Paris, wrote to Cayas: —

"James Hamilton tells me of a practice which he and another Scot have in hand against the Prince of Orange. He meant to speak about it with Don Sancho d'Avila, but I told him he had better address himself to the governor at once, that there might not be too many persons in the secret. I gave him a letter of introduction and all possible encouragement, pointing out the service which he would do to God, his Majesty, and the Estate of Christendom." — Ibid.

Finally it seems that these Hamiltons, John as well as James, were no better than hired bravos and were not particular whom they murdered, if they could gain anything by it. John Hamilton for several years managed the secret correspondence between Mary Stuart and Alva. In the spring of 1573, when he saw that Mary Stuart was going to fail, he began to think of doing something to recover favour with the other side, and he sent word from Brussels to the Earl of Morton, "that he was at the Regent's command to do what service he would, either there with the Duke of Alva, or with the Queen of Scots." — Killegrew to Burghley, March 4, 1573: *MSS. Scotland.*

and that night slept at Linlithgow. The town then consisted of one long narrow street. Four doors beyond the Regent's lodgings was a house belonging to the Archbishop of St. Andrew's which was occupied by one of his dependants. From the first landing place a window opened upon the street, the staircase leading directly down from it to the back garden, at the end of which was a lane. A wooden balcony ran along outside the house on a level with the window. It was railed in front, and when clothes were hung upon the bars, they formed a convenient screen behind which a man could easily conceal himself. Here on the morning of the 23d couched Hamilton of Bothwellhaugh. The Abbot of Arbroath had lent him his own carbine; the best horse in the stables of Hamilton Castle was at the garden gate in the lane, a second was waiting a mile distant, and any one who rode down the street in the direction of Edinburgh would have to pass within three yards of the assassin's hiding-place. The secret had not been kept with entire fidelity. Some one, it was not known who, came to Murray's bedside before he rose, told him that Bothwellhaugh was lying in wait for him, and named the house where he would be found.[1] But Murray was the perpetual object of conspiracies. He received similar warnings probably on half the days on which he went abroad. He had made up his mind to danger as part of his position, and he had ceased to heed it. He had no leisure to think about himself, and whether he lived or died was not of vital moment to him. He paid just sufficient attention to the warning, to propose to leave the town by the opposite gate; but when he came out and mounted his

[1] Hunsdon to Cecil, January 26: *MSS. Border.* Compare Calderwood and Buchanan.

horse, he found his guard drawn up and the street not easily passable in that direction, and he thought too little about the matter to disturb them. It was said that he would have started at a gallop. But the people were all out to look at him. To have ridden fast through the crowd would have been dangerous, and so at a foot's pace he passed in front of Bothwellhaugh. To miss him so was impossible.

The shot was fired — he put his hand to his side and said that he was wounded; but he was able to alight, and leaning on Lord Sempell he returned to the house which he had just left. He had been hit "above the navel at the buttoning of the doublet." The ball had passed through him and killed a horse on the other side. In the confusion the murderer escaped. The clothes upon the rail concealed the smoke, and minutes passed before the window was discovered from which the shot had been fired. Parties of men were on wait in the lane to defend him if he was in danger; but their help was not required, and in a few hours he himself had brought the news of his success to Hamilton Castle, where he was received with an ecstasy of exultation.[1] Thence a day or two after he made his way to France, to be employed as the reader has seen, to receive the thanks of Mary Stuart, and to live upon the wages of this and other villanies.[2]

[1] Information anent the Regent's murder, February, 1570: *MSS. Scotlana.*

[2] Mary Stuart denied that she had directed the murder, but she was heartily delighted at it, and she gave Bothwellhaugh a pension. On the 28th of August, 1571, she wrote to the Archbishop of Glasgow —

"Ce que Bothwellhaugh a faist a esté sans mon commandment, de quoy je luy sçay aussy bon gré et meilleur que si j'eusse esté du Conseil. J'attend les memoires que me doivent estre envoyez de la recepte de mon douaire pour faire mon estat, où je n'oublyeray la pension dudict Bothwellhaugh." — Labanoff, Vol. III. p. 341.

The Regent did not at first believe that he was seriously hurt, but on examination of the wound, it was seen that he had but a few hours to live. His friends in their bitter grief reminded him of the advice which he had neglected after Langside. He said calmly that "he could never repent of his clemency." With the same modest quietness with which he had lived he made his few arrangements. He commended the King to Sempell and Mar, and "without speaking a reproachful word of any man," died a little before midnight.

Many a political atrocity has disgraced the history of the British nation. It is a question whether among them all there can be found any which was more useless to its projectors or more mischievous in its immediate consequences. It did not bring back Mary Stuart. It did not open a road to the throne to the Hamiltons, or turn back the tide of the Reformation. It flung only a deeper tint of ignominy on his sister and her friends, and it gave over Scotland to three years of misery.

With a perversity scarcely less than the folly which destroyed his life, his memory has been sacrificed to sentimentalism; and those who can see only in the Protestant religion an uprising of Antichrist, and in the Queen of Scots the beautiful victim of sectarian iniquity, have exhausted upon Murray the resources of eloquent vituperation, and have described him as a perfidious brother building up his own fortunes on the wrongs of his injured sovereign. In the eyes of theologians, or in the eyes of historians who take their inspiration from theological systems, the saint changes into the devil and the devil into the saint, as the point of view is shifted from one creed to another. But

facts prevail at last, however passionate the predilection; and when the verdict of plain human sense can get itself pronounced, the "good Regent" will take his place among the best and greatest men who have ever lived.

Measured by years his career was wonderfully brief. He was twenty-five when the English were at Leith; he was thirty-five when he was killed. But in times of revolution men mature quickly. His lot had been cast in the midst of convulsions when, at any moment, had he cared for personal advantages, a safe and prosperous course lay open to him; but so far as his conduct can be traced, his interests were divided only between duty to his country, duty, as he understood it, to God, and affection for his unfortunate sister. France tried in vain to bribe him, for he knew that the true good of Scotland lay in alliance and eventual union with its ancient enemy; and he preferred to be used, trifled with, or trampled on by Elizabeth to being the trusted and valued friend of Catherine de Medici. In all Europe there was not a man more profoundly true to the principles of the Reformation, or more consistently — in the best sense of the word — a servant of God. His house was compared to "a holy temple," where no foul word was ever spoken. A chapter of the Bible was read every day after dinner and supper in his family. One or more ministers of the Kirk were usually among his guests, and the conversation chiefly turned on some serious subject. Yet no one was more free from sour austerity. He quarrelled once with Knox, "so that they spoke not together for eighteen months," because his nature shrunk from extremity of intolerance, because he insisted that while his sister remained a Cath-

olic she should not be interdicted from the mass. The hard convictions of the old Reformer were justified by the result. The mass in those days meant intrigue, conspiracy, rebellion, murder, if nothing else would serve; and better it would have been for Mary Stuart, better for Scotland, better for the broad welfare of Europe, if it had been held at arms' length while the battle lasted, by every country from which it had once been expelled. But the errors of Murray — if it may be so said of any errors — deserved rather to be admired than condemned. In the later differences which arose between him and the Queen, he kept at her side so long as he could hold her back from wrong. He resisted her by force, when in marrying Darnley she seemed plunging into an element in which she or the Reformation would be wrecked; and when he failed and in failing was disowned with insults by Elizabeth, he alone of all his party never swerved through personal resentment from the even tenor of his course.

Afterwards, when his sister turned aside from the pursuit of thrones to lust and crime, Murray took no part in the wild revenge which followed. He withdrew from a scene where no honourable man could remain with life, and returned only to save her from judicial retribution. Only at last when she forced upon him the alternative of treating her as a public enemy or of abandoning Scotland to anarchy and ruin, he took his final post at the head of all that was good and noble among his countrymen, and there met the fate which from that moment was marked out for him.

As a ruler he was severe but inflexibly just. The corruption which had begun at the throne had saturated the courts of law. In the short leisure which he

could snatch from his own labours he sat on trials with the judges; and "his presence struck such reverence into them that the poor were not oppressed by false accusations, nor tired out by long attendance, nor their causes put off to gratify the rich." He had his father's virtues without his father's infirmities; and so with such poor resources as he could command at home, with hollow support from England, and concentrating upon his own person the malignity of political hatred and spurious sentiment, he held on upon his road till the end came and he was taken away.

Scotland was struck to the heart by his death. The pathetic intensity of popular feeling found expression in a ballad which was published at Edinburgh immediately after Murray's death. It was written probably by Robert Lord Sempell, on whose arm he leant after he was wounded.[1]

[1] The Exhortatioun to all pleasand thingis quhairin man can haif delyte to withdraw thair plesur from mankynde, and to deploir the cruell Murther of umquhile my Lord Regentis Grace.

Ye Mountaines murne, ye valayis wepe,
Ye clouds and Firmament,
Ye fluids dry up, ye seyis so depe
Deploir our lait Regent.
Ye greinis grow gray, ye gowanis dune,
Ye hard rocks ryve for sorrow:
Ye mariguildis forbid the sune
To oppin yow euerie morrow.

Thow Lauand lurk, thow Time be tint,
Thow Margelene swaif,
Thow Camomylde, ye balme and mint,
Your fragrant odouris laif.
Ye Baselik and Jonet flouris,
Ye Gerofleis so sweet:
And Violatis hap you with schouris
Of hailstaines, snaw, and sleit.

Thow grene Roismary hyde thy heid,
Schaw not thy fair blew blumis:

The strife of faction was hushed in the great grief which fell on all in whom generous feeling was not utterly extinguished. Those who had been loudest in

In signe of dule lat na grene blaid
On Lowraine grow or brwmis.
Ye fruitfull treis produce na frute:
And ye fair Rois treis widder:
In earth ye sweit flouris take na rute,
But wallow altogidder.

Cum Nettilis, thornie breiris and rew,
With all foull filthie weid,
Now plant yow quhair thir sweit flouris grew
And place yow in their steid.
Ye pleasant byrdis lat be your sang,
Your mirth in murning turne,
And tak the Turtill yow amang
To leirne yow how to murne.

Thow luifsum Lark and gay Goldspink,
Thow mirthfull Nychtingaill,
Lat be your heuinly notes and think
His deith for to bewaill.
Ye pleasand Paun and Papingaw,
Cast off your blyithlyke cullour,
And tak the feddrum of the Craw
In signe of wo and dolour.

Now burne thyself, O Phœnix fair,
Not to reuive againe,
That we may him to thee compair,
Quhais lyke dois not remaine.
Thow Pelican, prepare thy beik
And grinde it scharpe and lang,
To peirs our breistis that we may seik
How to reuenge this wrang.

All birdis and beistis, all hillis and holtis
All greinis and plesand treis,
All Lambis and Kiddis, all Caluis and Coltis
Absent yow from men's eyis.
Ye gleds and howlets, rauins and rukis,
Ye Crawis and Corbeis blak,
Thair gutts mot be among your cluikis
That did this bludy fact.

their outcries against him were shamed by his loss into forgetfulness of their petty grievances, and desired only to revenge a crime which had a second time brought dishonour upon their country. A party of Hamiltons appeared in Edinburgh the day after the murder, expecting to be received with enthusiasm and to have the castle gates thrown open to them; they found Grange and Maitland, and Lord Hume, in Council with Morton, and themselves the object of universal indignation and rage. Bothwellhaugh had been nothing but the tool of his race. In such a case it was said neither "order of law" nor form was necessary; "war should be declared against the whole house of Hamilton, and they should be extirpated root

Ye instruments of euerie sort,
That gaif to mankynde plesure,
Now turne your melodie and sport
In murning and displesure.
Ye Sone and Mone, and Planetis sevin,
Ye glystring starris bricht,
All ye celestiale hoste of heuin
Absconce yow from mens sicht.

Ye Yeiris and monethis, dayis and houris,
Your naturall course withdraw,
In Somer time be winter schouris,
Sleit, hailstaines, frost and snaw.
For why, sum men dois trauell now
To turne all upsyde downe,
And als to seik the maner how
To reif the King his crowne.

We had ane Prince of gude renoun,
That Justice did desyre,
Aganis quhome the Hammiltoun
Did traterously conspyre.
Quha schot him of the Bischoppis stair
In Lythgow thair Londoun,
To bruik this byworde euer mair
Fy, Tratour Hammiltoun.

and branch."[1] "The murder was so odious," wrote Lord Hunsdon, "and the death so lamented with every honest man, as, where there were great factions grown and many private quarrels among them, they were all presently reconciled, and had avowed the revenge." "Grange would spend life and goods in the quarrel." Elizabeth "might frame the Lords as she would, and have of them what she listed, so they might know her full resolution what they might trust to," so she would rid them finally of the fear with which they were all possessed, that sooner or later, for her own convenience, she would reinstate the deposed Queen.[2] Even Maitland himself, far gone as he was in intrigue and conspiracy, reopened his disused correspondence with Cecil. He too, like the rest, had been so persuaded that Mary Stuart would come back upon them, that she would triumph at last through Elizabeth's weakness, that he had cast his fortunes upon her side. Even now at this supreme hour he was ready to return to his old policy, and carry half Scotland with him, if Elizabeth would understand her own mind and adhere to any definite resolution.[3]

On Elizabeth herself the blow told with terrible power. Whether or no she felt remorse for her own behaviour to Murray, his murder brought home those realities of assassination which had long floated before her as a dream. Never again, she well knew it, would she find another Scot so true to England; never another whose disinterestedness she could try to the

[1] Notes of proceedings on the death of the Regent, February, 1570: *MSS. Scotland.*

[2] Hunsdon to Elizabeth, January 20: *MSS. Border.* "Assure yourself," he added, "if you do not take heed of that Scottish Queen she will put you in peril, and that ere it be long, for there are many practices abroad.'

[3] Maitland to Cecil, January 26: Burghley *Papers*, Vol. I.

uttermost, who would work for her without help or reward or acknowledgment, and whose constancy she could never exhaust. "His death," she passionately exclaimed, "was the beginning of her own ruin."[1] "She had lost her truest friend." "There was none like him in the world" — "none," she admitted it now — "so useful to herself."[2]

The French Ambassador feared that in her first alarm she would make short work with the Queen of Scots. That Mary Stuart and the Bishop of Ross had been privy to the Earls' rebellion, had become every day more clear to her. That the Regent's murder came from the same hand, she had too keenly conjectured; and although she declared that if the Queen of Scots tried to murder her as well as her brother, her life should be in no danger,[3] yet Elizabeth's fine speeches were not always to be depended upon, and the rebellion, quickened by Murray's death, was showing signs of fresh vitality. The Earl of Westmoreland, who, unless Constable was deceived, had been looking for means of obtaining his pardon, made a destructive foray into Northumberland with Sir Walter Scott of Buccleuch, and ventured down even within sight of Newcastle; and worse than this followed, which might have almost roused Elizabeth at last out of her incurable infirmity of purpose. She could decide

[1] "Ha le sentido esta Reyna mucho, y hizó ayer grandes exclamaciones, diciendo que esto seria el principio de su ruina." — Don Guerau to Philip, January 30.

[2] "Il n'est pas à croire combien ladicte Dame a vifvement senty la mort dudict de Moray; pour laquelle s'estant enfermée dans sa chambre elle a escryé avecques larmes qu'elle avoit perdu le meilleur et le plus utille amy qu'elle eut au monde pour l'ayder à se maintenir et conserver en repos." — La Mothe Fénelon au Roy, February 17: *Dépêches*, Vol. II.

[3] "Que quand ladicte Reyne d'Escoce auroit bien machiné de la faire tuer d'ung coup de haquebutte, elle pourtant ne consentiroit jamais qu'on touchât ny à sa vie ny à sa personne." — Ibid.

when she would have done better to hesitate, when it was a question of the execution of a few hundred poor men. Where her crown might be forfeited by uncertainty, she was paralysed by incapacity of resolution. It might have been thought that towards Scotland, with such a chance reopened to her, she would have acted energetically at last. When she recovered from her alarm sufficiently to move, it was to take a step which showed the Scots that they had no more to hope from her than before.

Thomas Randolph, who had so long and faithfully served her at Edinburgh, was recalled from his retirement and sent back to his old place. His instructions were to renew old friendships, and to use the present humour of the people to knit together again the English party: but the Lords were to be used collectively as the Regent had been used before; they were to give all and receive nothing. Randolph was told to urge them in the old tone, "to maintain religion," "to keep the Prince safe in Scotland, and admit no French troops among them;" if, however, they pressed to know in return what Elizabeth would do for them, he was forbidden to commit her to anything. He was to give such a general answer "as neither they should be discouraged with doubt of her favour, nor boldened to unreasonable and overhard demands."[1] Had no principles been at work among the Scots which in some degree had neutralized Elizabeth's behaviour to them, she would have worn out their patience, and she would not have had a friend left to herself or England north of Tweed. The actual effect was more than sufficiently disastrous, and meanwhile she had to encounter the last phase of her own Northern Insurrection.

[1] Elizabeth to Sir R. Sadler, January 29: *MSS. Scotland.*

The name of Leonard Dacres had appeared more than once in the examinations of the prisoners. The fugitives, in resentment at his apathy, had spoken freely of his previous connexion with them, and their words had been carried to Berwick to Hunsdon. Old Norton said that if the Queen knew the part which he had played, she would hang him sooner than any one; a letter had been found upon a servant of the Bishop of Ross, in which he was compromised; and Elizabeth, indignant at having been deceived by his smooth speeches, ordered Sussex to take him and send him back to London. It was easier to command than to execute. Lord Dacres, as in the North he was universally called, by lighting a couple of beacon fires could collect four thousand men about him in a few hours, hardy yeomen and their servants, seasoned in the furnace of the Border wars, whose fealty was to the Lord of Naworth, and who were loyal to the Queen only when the Dacres was loyal himself. Naworth Castle contained some hundreds of armed retainers. The Border was but ten miles distant, and two hours' gallop would bring down a flight of moss-troopers from Liddisdale. He had cannon and powder; he was rich and had been long prepared; and situated as he was, he could fight if it served his purpose or fly to Scotland if flight was convenient. To arrest him required a small army, and, infuriated as the people were by the executions, it was a difficult and half desperate enterprise.

February.

Sussex on receiving the Queen's order replied, that as she had been pleased to order her troops to be disbanded, he had no force at his disposition and could not at once obey her. Elizabeth, who did not choose to be contradicted and was brave when bravery was

out of place, wrote again that she would take no excuses. The will, she implied, was more wanting than the power, and she bade Sussex set about the business without another word.

"All actions," he said to Cecil in answer, "were so hardly interpreted, that every man was afraid to do or advise further than was plainly directed." He did not mean to disobey the Queen, he was only unwilling to attempt what without help he could not possibly accomplish. Hunsdon, who was called on to coöperate, said plainly that before fresh work was required of the few men that were left to him, the Queen had better send some money to pay up the arrears of their wages; and both Hunsdon and Sadler, who was still with him at Berwick, believed that there were scoundrels about Elizabeth who were purposely misleading her with advice which they hoped might be fatal to her.[1] Her orders being peremptory, they consulted

[1] —— to Cecil, February 6, from Berwick. The writer, whoever he might be, was living with Hunsdon and Sadler, and was on terms of intimacy with Cecil. Another passage in his letter gives a vivid picture of the feelings with which the crisis was regarded by those who wished Elizabeth well. "I know they shoot chiefly at the life of the Queen's Majesty, at her crown, the subversion of the Estate, and the destruction of us all that truly obey and obediently embrace Christ's sincere religion and her Highness's most godly laws. I fear her Highness goeth daily in great danger. Oh Lord, preserve her from privy conspiracy, poison, shot, and all Papistical treacheries. I know you are maligned, envied, and disdained at of the Papists' and rebels' faction more than any of the Privy Council, and surely they have sought all means to supplant you, and still will so practise; for of all men they take you for their deadliest enemy and greatest hinderer. Oh good Mr. Secretary, have an eye to yourself. Beware whom you trust. You know the world. All are not faithful friends that shew fairest faces. Help to overthrow the wicked conspiracy. If the heads may still remain, shortly shall the whole realm repent. Mysterium impietatis. The Papists practise day and night.

"Judas non dormit, Sinon incendia miscet.

"Remember the counsel of Sextus Tarquinius. So long as they remain as they do, look for no quietness. And if they get liberty, look not long to live. Well warned well armed."

Lord Scrope at Carlisle. Lord Scrope, with a faint hope that Dacres might save them trouble by submission, invited him to come to Carlisle Castle. He answered from Naworth that he was ill and could not leave his bed, and Scrope at once agreed with the rest, that his arrest could not be ventured safely without troops from the South. For himself, he said that if he raised the whole county of Cumberland, the people would not serve against the Dacres, and if it came to blows they would take the Dacres' side.[1]

Spies reported that Naworth was full of men and was provisioned for many weeks. There were cannon on the corner turrets. The castle was protected on one side by a moat, on the other by a deep ravine that sunk precipitously from the foot of the walls. The country was utterly bare, and there was no shelter anywhere to cover an approach. The armoury at Carlisle was practically empty; there were a few old honey-combed guns there, but without carriages and unfit for service. There were no troops left between Berwick and Carlisle beyond the ordinary Border guard, and Westmoreland and Buccleuch were forever in the field, driving "great booties of cattle and sheep," and threatening to burn Newcastle. Bishop Pilkington came panting into Berwick, with the news that Durham was again fermenting. The rebels had sworn "to hang the prebendaries," "whereof they were so afeared that they were ready to fly out of the country."[2] The communication along the Marches was unsafe. Buccleuch, Herries, Maxwell, Lochinvar, and many other Scots, sent word to Dacres to

[1] Scrope to Cecil, January 31; Scrope to Hunsdon, February 3: *MSS. Border.*

[2] Hunsdon to Cecil, February 7: *MS.* Ibid.

hold his ground and they and their men would join him at an hour's notice at Naworth;[1] and so far from being able to take him, the English commanders were in daily fear of finding themselves overwhelmed at their posts. It was more dangerous to sit still than to move. On the 19th of February a warning reached Lord Hunsdon, at Berwick, that within two days at most, Buccleuch and Westmoreland would join Dacres with 5000 men, and they would then be past dealing with." He determined to try the chance of a sudden stroke, and, if he failed, to cut his way to Carlisle and join Scrope. With a great effort he collected 1500 men — the Berwick harquebussmen among them, on whose fidelity he could rely. Not a moment was to be lost, and two hours after dark the little force set out from Hexham. The beacons were blazing on hill and church tower, and every hill-side "was full of men, horse and foot, crying and shouting as if they had been mad." As they approached Naworth, scouts brought Hunsdon word that Dacres was waiting for them with twice his own strength; "if he took any overthrow," he knew that the whole North would again be immediately in arms, and his own troops would be destroyed to a man. As surprise was impossible, he thought it better to avoid a battle. The road passed near the castle, but the country was open; and striking off to the left, he passed it shortly after daybreak at two miles' distance. The Gelt river was in front of him, running along a deep gorge between precipitous sandstone cliffs. To attempt to cross, except at the bridge, would be extremely dangerous, and he was obliged to follow the brink of the ravine to recover the road again. Dacres had followed him at a distance, fore-

[1] Scrope to Hunsdon, February 18: *MSS. Border.*

seeing his difficulty. There was a ridge of broken ground to be passed, from which the cliff fell sheer to the river, and where defeat would be destruction. At that spot, as his men were struggling along draggled and weary with their night's march, the Borderers came down on them; and even Hunsdon himself could not withhold his admiration at the brilliancy of their onset. "They gave the proudest charge," he said, "that ever I saw." Retreat being impossible, the Berwick men stood to their arms; they were trained marksmen, as the time then was, and, at close quarters, their harquebusses gave them a terrible advantage. The Borderers staggered under the fire, and, before they could recover themselves, Hunsdon fell on them with a squadron of horse, cut up some hundreds of them, and drove them back in confusion. Having so largely the advantage in numbers, they might still have thrown themselves across the bridge and held the passage of the river; but Dacres of the Crooked Back, so bold in conspiracies, was faint-hearted in the field. When Hunsdon charged, "he fled like a tall gentleman, and never looked behind him till he was in Liddisdale." A trooper seized him by the arm and had almost secured him, but a party of Scots came to his rescue and snatched him from capture and the scaffold.[1] Their leader gone, the Borderers scattered to their homes. Two hundred men who had been left in Naworth fled like the rest, and, by the afternoon, the castle and its guns were surrendered. The victory was complete, but it was one of the many accidents to which Elizabeth was overmuch indebted. Had the battle been lost, as too easily it might have been lost, Lord Hunsdon thought that England would

[1] Hunsdon to the Queen, February 20: *MSS. Border.*

have been lost with it; and, like a man shuddering at the thought of a danger from which he has narrowly escaped, he tried again to force Elizabeth to look her situation in the face, to think less of money and more of the enormous interests which she was imperilling by her parsimony and vacillations.[1]

Elizabeth herself, when the peril was over, admitted that it had been greater than she had supposed. She promised, or Cecil promised for her, that as long as the Earls were in arms in Scotland a larger force should be maintained upon the Borders; while she herself with her own hand thanked her cousin for his services, and repaid him, not entirely to his own satisfaction, for he never received anything more substantial, with a letter which, if a sovereign's praise could have filled a lean purse, would have made Hunsdon the richest of the Peers.

"I doubt not, my Harry," she wrote, "whether that the victory was given me more joyed me, or that you were by God appointed the instrument of my glory. And I assure you that for my country's sake the first might suffice, but for my heart's contentation the second more pleased me. It likes me not a little that with a good testimony of your faith there is seen a stout courage of your mind that more trusted to the goodness of your quarrel than to the weakness of your numbers. But I can say no more. 'Beatus est ille servus quem cum Dominus venerit inveniet faciendo (*sic*) sua mandata.' And that you may not think you have done nothing for your profit, though you have done much for your honour, I intend to make this ourney somewhat to increase your livelihood, that you

[1] Hunsdon to Cecil, March 3: *MSS. Border.*

may not say to yourself, 'Perditum quod factum est ingrato.'

"Your loving kinswoman,

"Elizabeth."[1]

It is pleasant to be able to say that the cruelties which had followed on the main rebellion were not repeated. So many poor fellows had been killed in the fight that, at Hunsdon's suggestion, a general pardon followed to all who would submit, and in the trials of the prisoners who were not included in the amnesty, mercy also for the future prevailed.

[1] *MSS. Border, Rolls House.*

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